

Kansas Administrative Regulations

Kansas Department of Agriculture

Article 34.—Industrial Hemp

4-34-4. Research license applications.

(a) Each individual wanting to be a primary licensee shall identify the following on the research license application:

(1) Each owner of all land, structures, and buildings where any proposed research will be conducted;

(2) each owner of all motor vehicles that will be used to distribute or transport industrial hemp plants, plant parts, grain, or seeds;

(3) each individual that will own 10 percent or more of the industrial hemp plants, plant parts, grain, or seeds being cultivated, planted, or grown; and

(4) each individual that will otherwise be involved in the research proposal, including those individuals that will be engaged in the purchasing, researching, cultivating, planting, growing, handling, harvesting, conditioning, storing, distributing, transporting, processing, studying, analyzing, or selling of industrial hemp plants, plant parts, grain, or seeds.

(b) Each research license application shall include the following:

(1) A research proposal submitted on a form provided by the department that includes the following, at a minimum:

(A) A statement of the type of research to be conducted;

(B) the purpose of the research;

(C) the data that will be collected;

(D) the location where the research will occur;

(E) the number of acres or square feet that will be used to conduct the research;

(F) the methods to be used in conducting the research;

(G) the intended duration of the research;

(H) the anticipated results of the research; and

(I) any other relevant information that the secretary requests;

(2) legal descriptions and maps depicting each location where industrial hemp plants, plant parts, grain, or seeds will be cultivated, planted, grown, handled, harvested, conditioned, stored, distributed, transported, or processed, including appropriate designations for field identifications and boundaries and the global positioning system coordinates;

(3) a description of each vehicle that will be used for transporting or distributing industrial hemp plants, plant parts, grain, or seeds, including the make, model, license plate number, and color; and

(4) a list of each individual who will transport any industrial hemp plants, plant parts, grain, or seeds, along with a copy of the individual's current driver's license.

(c) Each research license application shall be submitted to the department on an annual basis, on a form provided by the department. Each research license application shall be submitted to the department no later than March 1 for the 2019 growing season and no later than November 30 for each subsequent growing season.

(d) Incomplete or illegible research license applications shall not be accepted, and the application fees shall not be refunded.

(1) Any individual wanting to be a primary licensee may complete or resubmit a previously incomplete or illegible research license application no later than November 30.

(2) For the 2019 growing season, any individual wanting to be a primary licensee may complete or resubmit a previously incomplete or illegible research license application no later than March 1.

(e) Any individual may apply for multiple licenses in a single license category or multiple license categories. Each individual shall provide the department with all required information for each license being sought along with payment of separate application fees and license fees.

(f) A research license application may be denied and the application fees shall not be refunded if at least one of the following conditions is met:

(1) The research license application is not submitted by the established deadline.

(2) The research license application does not include the application fees.

(3) Any individual identified on the research license application fails to submit to the state and national criminal history record check as required.

(4) Any criminal history records check reveals that an individual identified on the license application has been convicted of any crime specified in K.S.A. 2018 Supp. 2-3902, and amendments thereto, or a violation of any law of another jurisdiction that is in substantial conformity with the offenses listed in that statute.

(5) The research license application does not include a research proposal.

(6) The research license application includes a home or residence as a location to cultivate, plant, grow, handle, harvest, condition, store, distribute, transport, or process industrial hemp plants, plant parts, grain, or seeds.

(Authorized by and implementing K.S.A. 2018 Supp. 2-3902; effective Feb. 8, 2019.)

***** Authenticated Kansas Administrative Regulation *****