

Kansas Administrative Regulations

State Fire Marshal

Article 26.—Commercial Industrial Hemp Processing

22-26-2. Hemp processor registration; renewal.

(a) No person shall process industrial hemp in Kansas without a valid registration issued by the state fire marshal. Each hemp processor registration shall be nontransferable.

(b) Each individual wanting to register as a hemp processor shall submit an application on a form provided by the state fire marshal.

(c) If the applicant is not an individual, the applicant shall designate one or more individuals to be legally responsible for all activities relating to hemp processing and submit an application on a form provided by the state fire marshal, identifying each designated individual and each owner.

(d) The application shall also include the following:

(1) The street address or a legal description of any premises that will serve as a part of the applicant's processing operations;

(2) a brief description of the industrial hemp processing methods that will be used, activities that will be undertaken, and final hemp products planned for production;

(3) a policies and procedures manual, as specified in K.A.R. 22-26-5, for approval by the state fire marshal; and

(4) a code footprint meeting the requirements of K.A.R. 22-1-7.

(e) Each applicant shall be fingerprinted and submit to a criminal history record check, and each applicant or processor shall ensure that each employee or owner wanting to engage in the extraction of cannabinoids, the handling or transportation of distillate, or the disposal of hemp waste is fingerprinted and submits to a criminal history record check.

(f) Each registration shall expire annually on June 30. Each renewal application shall be submitted on or before June 1.

(g) The annual registration fees shall be as follows:

(1) \$1,000 for each processor that performs the extraction of cannabinoids or processes extracted cannabinoids, or both; and

(2) \$500 for each processor that does not perform the extraction of cannabinoids and does not process extracted cannabinoids.

Each fee shall be nonrefundable.

(h) No registration shall be approved for hemp processing activities in or within an area zoned for residential use or within one-quarter mile of any public or private K-12 school or public recreational area, except with the state fire marshal's written permission.

(i) Acceptance of a hemp processor registration shall constitute a grant of authority by the processor allowing the state fire marshal to provide the registration number, full legal name of the processor, and descriptions of all locations and facilities identified for processing industrial hemp, including any later modifications, to the United States drug enforcement agency, the KBI, the sheriff of the county where the premises are located, and any other law enforcement agency.

(j) A registration issued pursuant to this article of the state fire marshal's regulations shall not relieve the processor from the responsibility to obtain any other registrations, licenses, or permits required by law.

(k) An application may be denied or refused renewal by the state fire marshal for any lawful reason, including any of the reasons stated in K.A.R. 22-26-3.

(Authorized by and implementing K.S.A. 2020 Supp. 2-3907, as amended by L. 2021, ch. 76, sec. 5; effective, T-22-1-28-21, Jan. 28, 2021; effective, T-22-5-26-21, May 28, 2021; effective Oct. 22, 2021.)

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