

## **260.850 Definitions for KRS 260.850 to 260.869.**

As used in KRS 260.850 to 260.869:

- (1) "Commissioner" means the Commissioner of the Kentucky Department of Agriculture;
- (2) "Cultivating" means planting, growing, and harvesting a plant or crop;
- (3) "Department" means the Kentucky Department of Agriculture;
- (4) "Handling" means possessing or storing industrial hemp for any period of time on premises owned, operated, or controlled by a person licensed to cultivate or process industrial hemp. "Handling" also includes possessing or storing industrial hemp in a vehicle for any period of time other than during its actual transport from the premises of a licensed person to cultivate or process industrial hemp to the premises of another licensed person;
- (5) "Industrial hemp" means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis;
- (6) "Industrial hemp products" means products derived from, or made by, processing industrial hemp plants or plant parts;
- (7) "Licensee" means an individual or business entity possessing a license issued by the department under the authority of this chapter to grow, handle, cultivate, process, or market industrial hemp or industrial hemp products;
- (8) "Marketing" means promoting or selling a product within the Commonwealth, in another state, or outside of the United States. "Marketing" includes efforts to advertise and gather information about the needs or preferences of potential consumers or suppliers;
- (9) "Processing" means converting an agricultural commodity into a marketable form;
- (10) "Research pilot program" means a pilot program conducted by the department in collaboration with one (1) or more licensees or universities to study methods of cultivating, processing, or marketing industrial hemp under the authority of 7 U.S.C. sec. 5940 as it currently exists or as it may be subsequently amended; and
- (11) "University" means an accredited institution of higher education located in the Commonwealth.

**Effective:** June 27, 2019

**History:** Amended 2019 Ky. Acts ch. 39, sec. 1, effective June 27, 2019. -- Repealed and reenacted 2017 Ky. Acts ch. 45, sec. 1, effective March 20, 2017. -- Amended 2013 Ky. Acts ch. 134, sec. 1, effective June 25, 2013. -- Created 2001 Ky. Acts ch. 138, sec. 1, effective June 21, 2001.

**Legislative Research Commission Note (3/20/2017).** 2017 Ky. Acts ch. 45 replaced and restructured the industrial hemp program which was codified in 2001 as KRS 260.850 to 260.869. Section 1 of that Act (this statute) contains definitions for that range of statutes, and in the drafting of that section, "As used in KRS 260.850 to 260.869:" concerning the application of the defined terms in that section was changed to read, "As used in Sections 1 to 13 of this Act:". Sections 1 to 10 of that Act

contained the restructured sections concerning the research program, and Sections 11, 12, and 13 amended or created statutes in other KRS chapters and repealed some statutes contained within the range of KRS 260.850 to 260.869. It is clear from the context that retaining the original reference to "KRS 260.850 to 260.869" in this statute was necessary and proper, and the Reviser of Statutes has corrected this manifest clerical or typographical error under the authority of KRS 7.136(1)(h).