

## **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 hemp for any period of time on premises owned, operated, or controlled by a person licensed to cultivate or process hemp. "Handling" also includes possessing or storing 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 hemp to the premises of another licensed person;
- (5) "Hemp" or "industrial hemp":
  - (a) 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; and
  - (b) Does not include medicinal cannabis as defined in KRS 218B.010;
- (6) "Hemp products" or "industrial hemp products":
  - (a) Means products derived from, or made by, processing hemp plants or plant parts; and
  - (b) Does not include medicinal cannabis products as defined in KRS 218B.010;
- (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 hemp or 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; and
- (10) "University" means an accredited institution of higher education located in the Commonwealth.

**Effective:** June 29, 2023

**History:** Amended 2023 Ky. Acts ch. 146, sec. 40, effective June 29, 2023. -- Amended 2020 Ky. Acts ch. 1, sec. 3, effective February 10, 2020. -- 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 -- Repealed and reenacted 2017 Ky.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).