

INDUSTRIAL HEMP GROWERS ACT (EXCERPT)
Act 220 of 2020

333.29601 Negligent violations of this act; notice; corrective action plan; penalties.

Sec. 601.

- (1) A grower negligently violates this act if the grower does any of the following:
- (a) Fails to provide a legal description for each field, greenhouse, building, or other location where industrial hemp will be grown under section 201.
 - (b) Fails to obtain a registration.
 - (c) Grows industrial hemp that exceeds the acceptable THC level but does not have more than 1.0% total delta-9-THC on a dry weight basis.
 - (d) Any other violation that the department determines is negligent under subsection (7).
- (2) If a grower violates subsection (1), the department shall issue the grower a notice of violation and the terms of a corrective action plan. The grower must comply with the terms of the corrective action plan.
- (3) The department shall develop a corrective action plan under subsection (2) or (7) that includes the following terms:
- (a) A reasonable date by which the grower will correct the negligent violation.
 - (b) A requirement that for not less than 2 years after a violation under subsection (1), the grower shall make periodic reports to the department about the grower's progress and compliance with the requirements of the corrective action plan.
- (4) A grower that negligently violates this act 3 times in a 5-year period is ineligible to register as a grower for 5 years from the date of the third violation.
- (5) A negligent violation under this section is not subject to criminal enforcement.
- (6) A grower is not subject to more than 1 negligent violation under subsection (1) per growing season.
- (7) In addition to a negligent violation listed in subsection (1), the department may determine that any other violation of this act is a negligent violation. If the department determines that a grower negligently violated this act, the department shall issue the grower a notice of violation and the terms of a corrective action plan. The grower must comply with the terms of the corrective action plan. The department shall use the enforcement response policy created under section 505 to determine whether a violation of this act is a negligent violation.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020 ;-- Am. 2021, Act 4, Imd. Eff. Mar. 24, 2021