

House Bill 458 (COMMITTEE SUBSTITUTE)

By: Representatives Pirkle of the 169th, Corbett of the 174th, Williams of the 148th, Rhodes of the 124th, and Willis of the 55th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 23 of Title 2 of the Official Code of Georgia Annotated, relating to hemp
2 farming, so as to provide for definitions; to provide for license and permit fees, surety bonds,
3 and eligibility; to provide for and require retail consumable hemp establishment licenses and
4 wholesale consumable hemp establishment licenses; to allow persons convicted of any
5 misdemeanor or a felony not related to a state or federally controlled substance within ten
6 years of the application date to grow and process industrial hemp; to provide for exemptions
7 for criminal background checks, federal criminal history reports, and classifiable
8 electronically recorded fingerprints upon permit and license renewals; to provide for
9 compliance with applicable laws; to require package requirements, labeling, and certificates
10 of analysis for hemp products; to provide for ongoing reporting; to amend Chapter 12 of
11 Title 16 of the Official Code of Georgia Annotated, relating to offenses against public health
12 and morals, so as to prohibit the purchase of, sale of, and the offering of samples of hemp
13 products by or to any individual under the age of 21 years old; to provide for inspections,
14 enforcement, and penalties for violations; to provide for venue; to provide for rules and
15 regulations; to provide for related matters; to provide for effective dates; to repeal conflicting
16 laws; and for other purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

H. B. 458 (SUB)

SECTION 1.

18

19 Said chapter is further amended in Code Section 2-23-3, relating to definitions, by revising
20 paragraph (6) and paragraph (12) and by adding new paragraphs to read as follows:

21 "(1.2) 'Consumable hemp products' means a hemp product intended to be ingested,
22 absorbed, or inhaled by humans or animals."

23 "(3.1) 'Full panel certificate of analysis' means a document, produced by a laboratory
24 which is unaffiliated with the processor and which has been accredited pursuant to the
25 standards of the International Organization for Standardization for the competence,
26 impartiality, and consistent operation of laboratories, attesting to the composition of a
27 product, and which shall include a designation indicating whether the product passed or
28 failed."

29 ~~"(6) 'Hemp products' means all products with the federally defined THC level for hemp~~
30 ~~derived from, or made by, processing hemp plants or plant parts that are prepared in a~~
31 ~~form available for legal commercial sale, but not including food products infused with~~
32 ~~THC unless approved by the United States Food and Drug Administration all finished~~
33 ~~products with a concentration of delta-9-THC and esters of delta-9-THC of not more~~
34 ~~than 0.3 percent on a dry-weight basis that is derived from or made by processing a hemp~~
35 ~~plant or plant part and prepared in a form available for commercial sale. Hemp products~~
36 ~~shall not be considered controlled substances solely due to the presence of hemp or hemp~~
37 ~~derived cannabinoids.~~

38 (6.1) 'Industrial hemp product' means any hemp product that is not a consumable hemp
39 product."

40 "(8.1) 'Passing,' with regard to a full-panel certificate of analysis, means that the
41 full-panel certificate of analysis attests to the final packaged product's composition of the
42 following grouping of assays and, where applicable, that the final packaged product
43 contains equal to or less than the maximum acceptable contaminant levels set forth:

44 (A) Cannabinoids:

- 45 (i) Total tetrahydrocannabinol (THC) sum percentage by weight of
46 Delta-9-tetrahydrocannabinol; and Delta-9-tetrahydrocannabinolic acid;
- 47 (ii) Cannabidiol (CBD);
- 48 (iii) Cannabidiolic Acid (CBDA);
- 49 (iv) Cannabigerol (CBG);
- 50 (v) Cannabigerol Acid (CBGA);
- 51 (vi) Cannabinol (CBN);
- 52 (vii) Delta-8-tetrahydrocannabinol (Delta-8-THC);
- 53 (viii) Any isomer of Delta-9-THC, (e.g., Delta-8-THC, Delta-10-THC,
54 Delta-11-THC); and
- 55 (ix) Any ester of Delta-9-THC (e.g. THC-O) or Delta-9(11)
56 exo-tetrahydrocannabinol (Exo-THC);
- 57 (B) Heavy metals:
- 58 (i) Arsenic, in an amount less than 1.5 parts per million;
- 59 (ii) Cadmium, in an amount less than 0.5 parts per million;
- 60 (iii) Chromium, in an amount less than 0.5 parts per million;
- 61 (iv) Lead, in an amount less than 0.5 parts per million; and
- 62 (v) Mercury, in an amount less than 0.3 parts per million;
- 63 (C) Residual pesticides:
- 64 (i) Abamectin, in an amount less than 0.3 parts per million;
- 65 (ii) Acephate, in an amount less than 5 parts per million;
- 66 (iii) Acequinocyl, in an amount less than 4 parts per million;
- 67 (iv) Acetamiprid, in an amount less than 5 parts per million;
- 68 (v) Aldicarb, in an amount less than 0.01 parts per million;
- 69 (vi) Azoxystrobin, in an amount less than 40 parts per million;
- 70 (vii) Bifenazate, in an amount less than 5 parts per million;
- 71 (viii) Bifenthrin, in an amount less than 0.5 parts per million;

- 72 (ix) Chlormequat Chloride, in an amount less than 0.01 parts per million;
73 (x) Chlordane, in an amount less than 0.01 parts per million;
74 (xi) Chlorpyrifos, in an amount less than 0.01 parts per million;
75 (xii) Cyfluthrin, in an amount less than 1 parts per million;
76 (xiii) Daminozide, in an amount less than 0.01 parts per million;
77 (xiv) Diazinon, in an amount less than 0.2 parts per million;
78 (xv) Dichlorvos, in an amount less than 0.01 parts per million;
79 (xvi) Dimethoate, in an amount less than 0.2 parts per million;
80 (xvii) Etoxazole, in an amount less than 1.5 parts per million;
81 (xviii) Fenoxycarb, in an amount less than 0.01 parts per million;
82 (xix) Fenhexamid, in an amount less than 10 parts per million;
83 (xx) Fluoxastrobin, in an amount less than 0.01 parts per million;
84 (xxi) Fipronil, in an amount less than 0.01 parts per million;
85 (xxii) Imazalil, in an amount less than 0.01 parts per million;
86 (xxiii) Imidacloprid, in an amount less than 3 parts per million;
87 (xxiv) Malathion, in an amount less than 5 parts per million;
88 (xxv) Myclobutanil, in an amount less than 9 parts per million;
89 (xxvi) Paclobutrazol, in an amount less than 0.01 parts per million;
90 (xxvii) Permethrin, in an amount less than 20 parts per million;
91 (xxviii) Spirotetramat, in an amount less than 13 parts per million;
92 (xxix) Thiacloprid, in an amount less than 0.01 parts per million; and
93 (xxx) Trifloxystrobin, in an amount less than 30 parts per million;
94 (D) Residual solvents:
95 (i) Acetones, in an amount less than 5000 parts per million;
96 (ii) Butanes, in an amount less than 5000 parts per million;
97 (iii) Benzene, in an amount less than 1.0 parts per million;
98 (iv) Methanol, in an amount less than 3000 parts per million;

- 99 (v) Ethanol, in an amount less than 5000 parts per million;
100 (vi) Heptanes, in an amount less than 5000 parts per million;
101 (vii) Hexane, in an amount less than 10 parts per million;
102 (viii) Toluene, in an amount less than 890 parts per million; and
103 (ix) Total Xylenes (m,o,p-xylene), in an amount less than 1.0 parts per million;
104 (E) Any visible foreign or extraneous material that is not intended to be part of the
105 product being produced, including, but not limited to, mold, hair, insects, metal, or
106 plastic;
107 (F) Microbiological impurities, meeting the following colony-forming unit in per
108 gram (CFU/g) levels:
109 (i) Total viable aerobic bacteria, not exceeding 105 CFU/g;
110 (ii) Total Yeast and Mold, not exceeding 10,000 CFU/g;
111 (iii) Total Coliforms, not exceeding 103 CFU/g;
112 (iv) Bile-tolerant Gram Negative Bacteria, not exceeding 103 CFU/g;
113 (v) E. coli (pathogenic strains) and Salmonella, not detected in 1 gram; and
114 (vi) Aspergillus fumigatus, Aspergillus flavus, Aspergillus niger, less than 1 CFU/g;
115 (G) Mycotoxins:
116 (i) Aflatoxin B1 at less than 20 µg (micrograms) of any mycotoxin per kg of material;
117 (ii) Aflatoxin B2 at less than 20 µg (micrograms) of any mycotoxin per kg of
118 material;
119 (iii) Aflatoxin G1 at less than 20 µg (micrograms) of any mycotoxin per kg of
120 material;
121 (iv) Aflatoxin G 2at less than 20 µg (micrograms) of any mycotoxin per kg of
122 material; and
123 (v) Ochratoxin A at less than 20 µg (micrograms) of any mycotoxin per kg of
124 material;

125 (H) Vitamin E acetate in an amount less than 100 parts per million in an inhalable
126 hemp product."

127 "(10.1) 'QR code' means a quick response code that is a type of machine-readable,
128 two-dimensional barcode that stores information about a product."

129 "(12) 'Retail consumable hemp establishment license' means a license issued by the
130 department under the authority of this chapter to an establishment that prepares or sells
131 prepackaged consumable hemp products to an end consumer.

132 (13) 'THC' means tetrahydrocannabinol, tetrahydrocannabinolic acid, or a combination
133 of tetrahydrocannabinol and tetrahydrocannabinolic acid.

134 (14) 'Wholesale consumable hemp establishment license' means a license issued by the
135 department under the authority of this chapter to an establishment that manufactures,
136 processes, packs, holds, or prepares consumable hemp products for sale to other
137 businesses."

138 **SECTION 2.**

139 Said chapter is further amended in Code Section 2-23-5, relating to procedure for licensing,
140 fees, licensing requirements, and limitations on licenses, by revising paragraph (2) of
141 subsection (a) and subsection (c) as follows:

142 "(2) Hemp grower licenses shall be issued for one calendar year at an annual license fee
143 of \$50.00 per acre cultivated up to a maximum license fee of ~~\$5,000.00~~ \$1,000.00."

144 "(c)(1) Upon receipt of an application for a hemp grower license, the department shall
145 conduct a criminal background check and is authorized to obtain a federal criminal
146 history report in accordance with paragraph (2) of this subsection for an individual or, if
147 the applicant is a business entity, all key participants seeking to obtain a hemp grower
148 license. For renewal of any previously issued license, a background check shall be
149 required every three years.

150 (2) At least one set of classifiable electronically recorded fingerprints of the individual
151 applicant or, if the applicant is a business entity, one set of classifiable electronically
152 recorded fingerprints of each key participant shall be submitted to the department in
153 accordance with the fingerprint system of identification established by the director of the
154 Federal Bureau of Investigation. The department shall transmit the fingerprints to the
155 Georgia Crime Information Center, which shall submit the fingerprints to the Federal
156 Bureau of Investigation for a search of bureau records and an appropriate report and shall
157 promptly conduct a search of state records based upon the fingerprints. After receiving
158 the report from the Georgia Crime Information Center and the Federal Bureau of
159 Investigation, the department shall review the record for all individuals or key
160 participants, as applicable. For renewal of any previously issued license, such set of
161 classifiable electronically recorded fingerprints shall not be required for any individual
162 applicant or key participant who has already submitted such.

163 (3) No license shall be issued to any applicant who has been convicted of a ~~misdemeanor~~
164 ~~involving sale of or trafficking in a controlled substance~~ or a felony related to a state or
165 federally controlled substance within ten years of the date of application or who
166 materially falsifies any information contained in a license application.

167 (4) Upon receipt of an application for renewal of any previously issued license, the
168 department may require a signed affidavit stating that the licensee has not had a material
169 change to his or her permit eligibility."

170 SECTION 3.

171 Said chapter is further amended in Code Section 2-23-6, relating to procedure for permitting
172 and limitations on permits and interests, by revising subsections (c) through (g) as follows:

173 "(c)(1) Upon receipt of an application for a hemp processor permit, the department shall
174 conduct a criminal background check and is authorized to obtain a federal criminal
175 history report in accordance with paragraph (2) of this subsection for an individual or, if

176 the applicant is a business entity, all key participants seeking to obtain a hemp processor
177 permit. For renewal of any previously issued permit, such criminal background check
178 or federal criminal history report shall be required every three years for each individual
179 applicant or key participant who has previously undergone such.

180 (2) At least one set of classifiable electronically recorded fingerprints of the individual
181 applicant or, if the applicant is a business entity, one set of classifiable electronically
182 recorded fingerprints of each key participant shall be submitted to the department in
183 accordance with the fingerprint system of identification established by the director of the
184 Federal Bureau of Investigation. The department shall transmit the fingerprints to the
185 Georgia Crime Information Center, which shall submit the fingerprints to the Federal
186 Bureau of Investigation for a search of bureau records and an appropriate report and shall
187 promptly conduct a search of state records based upon the fingerprints. After receiving
188 the report from the Georgia Crime Information Center and the Federal Bureau of
189 Investigation, the department shall review the record for all individuals or key
190 participants, as applicable. For renewal of any previously issued permit, such set of
191 classifiable electronically recorded fingerprints shall not be required for any individual
192 applicant or key participant who has already submitted such.

193 (3) No permit shall be issued to any applicant who has been convicted of ~~a misdemeanor~~
194 ~~involving sale of or trafficking in a controlled substance~~ or a felony related to a state or
195 federally controlled substance within ten years of the date of application or who
196 materially falsifies any information contained in a license application.

197 (d) The department shall ~~annually~~ accept applications for hemp processor permits to be
198 issued by the department and renew on an annual basis.

199 (e) Hemp processor permits shall be issued for ~~one~~ five calendar ~~year~~ years at ~~an annual~~
200 a permit fee of \$25,000.00, to be paid in annual installments of \$5,000.00, so long as no
201 administrative action has been taken by the department regarding such permittee under this
202 chapter. If annual permit fee installments are not paid according to the preapproved

203 schedule, the department may revoke the permit. The department may annually require a
204 signed affidavit stating that the permittee has not had a material change to his or her permit
205 eligibility.

206 (f) Issuance of any hemp processor permit shall be conditioned upon the permittee's
207 compliance with Code Section 2-23-7 prior to initiating hemp processing activities.

208 (g) A permittee may also apply for and be issued no more than one hemp grower license."

209

SECTION 4.

210 Said chapter is further amended in Code Section 2-23-6.1, relating to procedure for
211 permitting and limitations on permits and interests, by revising subsection (a) as follows:

212 "(a) Any applicant for a hemp processor permit shall make and deliver to the
213 Commissioner a surety bond executed by a surety corporation authorized to transact
214 business in this state and approved by the Commissioner. Any and all bond applications
215 shall be accompanied by a certificate of good standing issued by the Commissioner of
216 Insurance. If any company issuing a bond shall be removed from doing business in this
217 state, it shall be the duty of the Commissioner of Insurance to notify the Commissioner
218 within 30 days. ~~The bond shall be in such amount as the Commissioner may determine,~~
219 ~~not exceeding an amount equal to 2 percent of the amount of hemp purchased from~~
220 ~~licensees by the permittee in the most recent calendar year; provided, however, that the~~
221 ~~minimum amount of such bond shall be \$300,000.00 and the maximum amount shall be~~
222 ~~\$1 million~~ \$50,000.00. Such bond shall be upon a form prescribed or approved by the
223 Commissioner and shall be conditioned to secure the faithful accounting for and payment
224 to licensees for hemp purchased by such permittee as well as to secure the permittee's
225 compliance with the requirements of this chapter. Whenever the Commissioner shall
226 determine that a previously approved bond has for any cause become insufficient, the
227 Commissioner may require an additional bond or bonds to be given in compliance with this
228 Code section. Unless the additional bond or bonds are given within the time fixed by

229 written demand therefor, or if the bond of a permittee is canceled, the permit of such
230 permittee shall be immediately revoked by operation of law without notice or hearing, and
231 such permittee shall be ineligible to reapply for such permit for a period of four years after
232 such revocation."

233 **SECTION 5.**

234 Said chapter is further amended by adding a new Code section to read as follows:

235 "2-23-6.2.

236 (a) A retail consumable hemp establishment license shall be issued by the department.
237 Such license shall be issued for one calendar year at an annual permit fee of \$250.00.

238 (b) A wholesale consumable hemp establishment license shall be issued by the department.
239 Such license shall be issued for one calendar year at an annual permit fee of \$1,500.00.

240 (c) No retail establishment shall sell or offer for sale any consumable hemp product in this
241 state without first obtaining a retail consumable hemp establishment license issued by the
242 department.

243 (d) No person shall act as a wholesaler or distributor of consumable hemp products in this
244 state without first obtaining a wholesale consumable hemp establishment license issued by
245 the department."

246 **SECTION 6.**

247 Said chapter is further amended by adding new Code sections to read as follows:

248 "2-23-9.1.

249 (a) No consumable hemp product shall be sold or otherwise distributed in this state unless
250 the manufacturer has, within the last 12 months, contracted for a full-panel certificate of
251 analysis to be conducted on such product and such analysis has been designated as passing.

252 (b) Any consumable hemp product sold or otherwise distributed in this state shall bear
253 conspicuous labeling providing the information from a passing certificate of analysis

254 conducted on the product within the last 12 months or allowing a consumer to access such
255 information using a QR code.

256 (c) The department shall randomly test consumable hemp products available for purchase
257 at retail consumable hemp establishments to ensure compliance with this Code section.
258 Such testing shall be conducted in compliance with this chapter and with regulations
259 promulgated by the department.

260 (d) In the event that a test sample reveals a concentration of delta-9-THC and esters of
261 delta-9-THC of more than 0.3 percent on a dry-weight basis, all related hemp products
262 shall be disposed of in compliance with this chapter and with regulations promulgated by
263 the department.

264 2-23-9.2.

265 Any consumable hemp product shall have a maximum total concentration of any
266 combination of delta-9-THC, isomers of delta-9-THC, and esters of delta-9-THC of 25mg
267 per individual dose and 500mg per individual package."

268 **SECTION 7.**

269 Said chapter is further amended in Code Section 2-23-11, relating to plan for regulation and
270 approval, by adding a new subsection to read as follows:

271 "(c) The department may submit an amended plan to the secretary of agriculture of the
272 United States if or when required by any amendment to this chapter, the rules and
273 regulations promulgated by the department pursuant to this chapter, or any federal law or
274 regulation."

275 **SECTION 8.**

276 Said chapter is further amended in Code Section 2-23-12, relating to rules and regulations,
277 as follows:

278 "2-23-12.

279 The department, ~~in consultation with the Georgia Bureau of Investigation,~~ shall may
280 promulgate rules and regulations as necessary to implement the provisions of this chapter.
281 ~~Such rules and regulations shall include the plan provided for in Code Section 2-23-11~~
282 ~~upon the approval of such plan by the secretary of agriculture of the United States."~~

283 **SECTION 9.**

284 Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against
285 public health and morals, is amended by adding a new article to read as follows:

286 "ARTICLE 10

287 16-12-240.

288 As used in this article, the term:

289 (1) 'Community service' means a public service which an individual under the age of 21
290 years might appropriately be required to perform as punishment for certain offenses
291 provided for in this article as determined by a court of competent jurisdiction.

292 (2) 'Consumable hemp products' has the same meaning as provided in Code
293 Section 2-23-3.

294 (3) 'Person' means any natural person or any firm, partnership, company, corporation, or
295 other entity.

296 (4) 'Proper identification' means any document issued by a governmental agency that
297 contains a description of an individual, such individual's photograph, or both; provides
298 such individual's date of birth; and includes, without being limited to, a passport, military
299 identification card, driver's license, or an identification card authorized under Code
300 Sections 40-5-100 through 40-5-104. Proper identification shall not include a birth
301 certificate.

302 16-12-241.

303 (a)(1) It shall be unlawful for any person to knowingly:

304 (A) Sell or barter, directly or indirectly, any consumable hemp product to any
305 individual under the age of 21 years;

306 (B) Purchase any consumable hemp product for any individual under the age of 21
307 years; or

308 (C) Advise, counsel, or compel any individual under the age of 21 years to smoke,
309 inhale, chew, or use consumable hemp products.

310 (2)(A) The prohibition contained in paragraph (1) of this subsection shall not apply
311 with respect to the sale of consumable hemp products by a person when such person has
312 been furnished with proper identification showing that the individual to whom the
313 consumable hemp products are sold is 21 years of age or older.

314 (B) In any case where a reasonable or prudent person could reasonably be in doubt as
315 to whether or not the individual to whom consumable hemp products are to be sold or
316 otherwise furnished is 21 years of age or older, it shall be the duty of the person selling
317 or otherwise furnishing such consumable hemp products to request to see and to be
318 furnished with proper identification in order to verify the age of such individual. The
319 failure to make such request and verification in any case where the individual to whom
320 the consumable hemp products are sold or otherwise furnished is less than 21 years of
321 age may be considered by the trier of fact in determining whether the person who sold
322 or otherwise furnished such consumable hemp products did so knowingly.

323 (3) Any person that violates this subsection shall be guilty of a misdemeanor.

324 (b)(1) It shall be unlawful for any individual under the age of 21 years to:

325 (A) Purchase, attempt to purchase, or possess for personal use any consumable hemp
326 products; or

327 (B) Misrepresent his or her identity or age or use any false identification for the
328 purpose of purchasing or procuring any consumable hemp products.

329 (2) An individual under the age of 21 years who commits an offense provided for in
330 paragraph (1) of this subsection or in paragraph (1) of subsection (a) of this Code section
331 shall be punished by requiring the performance of community service not to exceed 20
332 hours that may be related to the awareness of the health hazards of consumable hemp
333 product use.

334 16-12-242.

335 (a) Any person owning or operating a place of business in which consumable hemp
336 products are sold or offered for sale shall post in a conspicuous place a sign which shall
337 contain the following statement:

338 'SALE OF CONSUMABLE HEMP PRODUCTS TO INDIVIDUALS UNDER 21
339 YEARS OF AGE IS PROHIBITED BY LAW.'

340 Such sign shall be printed in letters of at least one-half inch in height.

341 (b) Any person that fails to comply with the requirements of subsection (a) of this Code
342 section shall be guilty of a misdemeanor.

343 16-12-243.

344 (a) As used in this Code section, the term 'consumable hemp product sample' means a
345 consumable hemp product distributed to members of the general public at no cost for
346 purposes of promoting the product.

347 (b) It shall be unlawful for any person to distribute any consumable hemp product sample
348 to any individual under the age of 21 years.

349 (c) A person distributing consumable hemp product samples shall require proof of age
350 from a prospective recipient in any case where a reasonable or prudent person could
351 conclude on the basis of appearance that such prospective recipient may be under the age
352 of 21 years.

353 (d) It shall be unlawful for any individual under the age of 21 years to receive or attempt
354 to receive any consumable hemp product sample.

355 (e) No person shall distribute consumable hemp product samples on any public street,
356 sidewalk, or park within 500 feet of any school or playground when such facilities are
357 being used primarily by individuals under the age of 21 years.

358 (f) A violation of subsection (b), (c), or (e) of this Code section shall be punished as a
359 misdemeanor. A violation of subsection (d) of this Code section shall be punished as
360 provided for in paragraph (2) of subsection (b) of Code Section 16-12-171.

361 16-12-244.

362 (a) The provisions of this article shall be enforced through actions brought in any court of
363 competent jurisdiction by the prosecuting district attorney for the county in which the
364 alleged violation occurred as well as through administrative citations issued by special
365 agents or enforcement officers of the Commissioner of Agriculture. Any fine collected for
366 a violation of such provisions shall be paid to the clerk of the court of the jurisdiction in
367 which the violation occurred. Upon receipt of a fine for any violation of such provision,
368 such clerk shall promptly notify the Commissioner of Agriculture of the violation.

369 (b) The Commissioner of Agriculture, acting through special agents or enforcement
370 officers, shall annually conduct random, unannounced inspections at locations where
371 consumable hemp products are sold or distributed to ensure compliance with this article.
372 Individuals under the age of 21 years may be enlisted to test compliance with this article;
373 provided, however, that such individuals may be used to test compliance with this article
374 only if the testing is conducted under the direct supervision of such special agents or
375 enforcement officers and written parental consent for such individuals has been provided.
376 Any other use of individuals under the age of 21 years to test compliance with this article
377 or any other similar provisions shall be unlawful, and the person or persons responsible for
378 such use shall be subject to the penalties prescribed in this article.

379 16-12-245.

380 The Commissioner of Agriculture is authorized to make reasonable rules and regulations
381 for the administration and enforcement of this article. The Commissioner of Agriculture
382 may designate employees of the Department of Agriculture for the purpose of
383 administering and enforcing this article and may delegate to employees of such department
384 any of the duties required of the Commissioner of Agriculture pursuant to this article."

385 **SECTION 10.**

386 Sections 1 through 4 and 6 through 11 of this Act shall become effective upon its approval
387 by the Governor or upon its becoming law without such approval. Section 5 of this Act shall
388 become effective January 1, 2024.

389 **SECTION 11.**

390 All laws and parts of laws in conflict with this Act are repealed.