

Senate Engrossed

~~regulation; hemp-derived products~~  
(now: regulation; labeling; hemp-derived products)

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

# SENATE BILL 1186

AN ACT

AMENDING SECTIONS 3-311, 3-312, 3-313, 3-314, 3-316, 3-317, 3-318 AND  
3-320, ARIZONA REVISED STATUTES; RELATING TO INDUSTRIAL HEMP.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 3-311, Arizona Revised Statutes, is amended to  
3 read:

4 3-311. Definitions

5 In this article, unless the context otherwise requires:

6 ~~1. "Agricultural pilot program" means the industrial hemp program~~  
7 ~~that is designed to research the growth, cultivation and marketing of~~  
8 ~~industrial hemp, hemp seeds and hemp products as authorized by this~~  
9 ~~article and rules and orders adopted by the director pursuant to this~~  
10 ~~article.~~

11 ~~2.~~ 1. "Crop" means any industrial hemp that is grown under a  
12 single industrial hemp license issued by the ARIZONA department OF  
13 AGRICULTURE, ANY OTHER AUTHORIZED INDUSTRIAL HEMP PROGRAM OF THE UNITED  
14 STATES DEPARTMENT OF AGRICULTURE, ANOTHER STATE, INDIAN TRIBE OR UNITED  
15 STATES TERRITORY OR AN INDUSTRIAL HEMP PROGRAM UNDER THE AUTHORIZATION OF  
16 THE DIRECTOR OR THE UNITED STATES DEPARTMENT OF AGRICULTURE.

17 ~~3.~~ 2. "Grower" means an individual, partnership, company or  
18 corporation that propagates OR PRODUCES industrial hemp under this article  
19 and rules and orders adopted by the director pursuant to this article.

20 ~~4.~~ 3. "Harvester" means an individual, partnership, company or  
21 corporation that is licensed by the department to harvest industrial hemp  
22 for a licensed grower.

23 ~~5. "Hemp products" means all products made from industrial hemp,~~  
24 ~~including cloth, cordage, fiber, fuel, grain, paint, paper, construction~~  
25 ~~materials, plastics and by-products derived from sterile hemp seed or hemp~~  
26 ~~seed oil. Hemp products excludes any product made to be ingested except~~  
27 ~~food made from sterile hemp seed or hemp seed oil.~~

28 4. "HEMP-DERIVED PRODUCTS":

29 (a) MEANS ANY PRODUCT OR BY-PRODUCTS THAT CONTAIN REGULATED HEMP  
30 CANNABINOIDS AND THAT ARE DERIVED FROM THE FLOWER OR FLOWER PARTS OR ANY  
31 DERIVATIVE, EXTRACT, CANNABINOID, ISOMER, ACID, SALT OR SALT OF ISOMERS OF  
32 AN AUTHORIZED INDUSTRIAL HEMP CROP THAT IS INTENDED FOR HUMAN OR ANIMAL  
33 CONSUMPTION, INHALATION OR TOPICAL APPLICATION.

34 (b) DOES NOT INCLUDE HEMP SEED, INDUSTRIAL HEMP PRODUCTS NOT  
35 INTENDED FOR HUMAN OR ANIMAL CONSUMPTION, INHALATION OR TOPICAL  
36 APPLICATION AND ANY DRUG THAT DOES NOT QUALIFY FOR AN EXCEPTION PURSUANT  
37 TO SECTION 13-3405.

38 ~~6.~~ 5. "Hemp seed" means any viable cannabis sativa L. seed that  
39 produces an industrial hemp plant that is subject to this article and  
40 rules and orders adopted by the director pursuant to this article.

41 ~~7.~~ 6. "Industrial hemp" OR "HEMP" means the plant cannabis  
42 sativa L. and any part of such a plant, INCLUDING THE SEEDS AND ALL  
43 DERIVATIVES, EXTRACTS, CANNABINOIDS, ISOMERS, ACIDS, SALTS AND SALTS OF

1 ISOMERS, whether growing or not, with a TOTAL delta-9 tetrahydrocannabinol  
2 concentration of not more than three-tenths percent on a dry-weight basis.

3 7. "INDUSTRIAL HEMP PRODUCTS":

4 (a) MEANS THE PRODUCTS AND BY-PRODUCTS MADE FROM THE STERILE SEED,  
5 THE STEM, THE STALK OR THE IMMATURE PLANT OF A CROP.

6 (b) DOES NOT INCLUDE HEMP SEED, HEMP-DERIVED PRODUCTS, ANY HEMP  
7 FLOWER OR FLOWER PARTS OR ANY DERIVATIVE, EXTRACT, CANNABINOID, ISOMER,  
8 ACID, SALT OR SALT OF ISOMERS OF INDUSTRIAL HEMP.

9 8. "Industrial hemp site" means the location in which a ~~grower,~~  
10 ~~harvester, transporter or processor possesses~~ LICENSEE THAT PROPAGATES OR  
11 PRODUCES A CROP OR THAT IS IN POSSESSION OF a crop, a harvested crop or  
12 hemp seed.

13 9. "License" means the authorization that is granted by the  
14 department to propagate, PRODUCE, harvest, transport, ~~or~~ process,  
15 MANUFACTURE, OR OFFER FOR RETAIL SALE industrial hemp in this state under  
16 this article and rules and orders adopted by the director pursuant to this  
17 article.

18 10. "Licensee" means a grower, harvester, transporter,  
19 MANUFACTURER, RETAILER or processor with a valid license.

20 11. "MANUFACTURER" MEANS AN INDIVIDUAL, PARTNERSHIP, COMPANY OR  
21 CORPORATION THAT IS LICENSED BY THE DEPARTMENT TO RECEIVE INDUSTRIAL HEMP  
22 OR HEMP-DERIVED PRODUCT COMPONENTS FOR MANUFACTURING HEMP-DERIVED  
23 PRODUCTS.

24 ~~11.~~ 12. "Processor" means an individual, partnership, company or  
25 corporation that is licensed by the department to receive AN industrial  
26 hemp CROP for processing into ~~temp~~ HEMP-DERIVED products or hemp seed.

27 13. "REGULATED HEMP CANNABINOIDS":

28 (a) MEANS A CANNABINOID, INCLUDING DELTA-8 TETRAHYDROCANNABINOL,  
29 DELTA-10 TETRAHYDROCANNABINOL, HEXAHYDROCANNABINOL,  
30 TETRAHYDROCANNABIPHOROL AND TETRAHYDROCANNABIVARIN, THAT IS DERIVED FROM  
31 HEMP AND IN A CONCENTRATION OF MORE THAN ONE-TENTH OF ONE PERCENT OR  
32 DELTA-9 TETRAHYDROCANNABINOL AND IN A CONCENTRATION OF THREE-TENTH OF ONE  
33 PERCENT OR LESS, ON A DRY WEIGHT BASIS.

34 (b) DOES NOT INCLUDE CANNABICHROMENE, CANNABICITRAN, CANNABICYCLOL,  
35 CANNABIDIOL, CANNABIELSOIN, CANNABIGEROL, CANNABINOL OR CANNABIVARIN THAT  
36 IS DERIVED FROM HEMP AND IN A CONCENTRATION OF MORE THAN ONE-TENTH OF ONE  
37 PERCENT.

38 14. "RETAILER" MEANS AN INDIVIDUAL, PARTNERSHIP, COMPANY OR  
39 CORPORATION THAT OFFERS FOR SALE HEMP-DERIVED PRODUCTS.

40 15. "TOTAL DELTA-9 TETRAHYDROCANNABINOL CONCENTRATION" MEANS THE  
41 VALUE DETERMINED AFTER THE PROCESS OF DECARBOXYLATION, OR THE APPLICATION  
42 OF A CONVERSION FACTOR IF THE TESTING METHODOLOGY DOES NOT INCLUDE  
43 DECARBOXYLATION, THAT EXPRESSES THE POTENTIAL TOTAL DELTA-9  
44 TETRAHYDROCANNABINOL CONTENT DERIVED FROM THE SUM OF THE

1 TETRAHYDROCANNABINOL AND TETRAHYDROCANNABOLIC ACID CONTENT AND REPORTED ON  
2 A DRY-WEIGHT BASIS.

3 ~~12.~~ 16. "Transporter" means an individual, partnership, company or  
4 corporation that is licensed by the department to transport industrial  
5 hemp for a licensed grower to a processor.

6 Sec. 2. Section 3-312, Arizona Revised Statutes, is amended to  
7 read:

8 3-312. Legislative findings; purpose; authorization

9 A. The legislature finds and determines that developing and using  
10 industrial hemp can improve the economy and agricultural vitality of this  
11 state and that the production of industrial hemp can be regulated so as  
12 not to interfere with strict regulation of marijuana in this state.

13 B. The ~~purposes~~ PURPOSE of this article ~~are:~~

14 ~~1. To promote the economy and agriculture in this state by allowing~~  
15 ~~institutions of higher learning and the department to develop and regulate~~  
16 ~~industrial hemp as part of an agricultural pilot program for the purpose~~  
17 ~~of research into the growth, cultivation and marketing of industrial hemp~~  
18 ~~as authorized by the agricultural act of 2014 (P.L. 113-79; 128 Stat. 649;~~  
19 ~~7 United States Code section 5940).~~

20 ~~2. To allow the commercial growth, cultivation and marketing of~~  
21 ~~industrial hemp if the commercial growth, cultivation and marketing of~~  
22 ~~industrial hemp is authorized by federal law, while maintaining strict~~  
23 ~~control of marijuana~~ IS TO ALLOW COMMERCIAL PRODUCTION OF INDUSTRIAL HEMP  
24 AS AUTHORIZED BY FEDERAL LAW WHILE MAINTAINING STRICT CONTROL OF  
25 MARIJUANA.

26 C. Industrial hemp is an agricultural product that is subject to  
27 regulation by the department.

28 D. Industrial hemp propagation, ~~processing, manufacturing,~~  
29 ~~distribution and market research are authorized in this state under a~~  
30 ~~preapproved agricultural pilot program. Hemp seed that is authorized for~~  
31 ~~an agricultural pilot program shall be certified solely through the~~  
32 ~~department. Unauthorized hemp seed may not be planted. Hemp seed that is~~  
33 ~~derived from previously authorized hemp seed is considered authorized hemp~~  
34 ~~seed for the purposes of this article.~~ PRODUCTION, HARVESTING,  
35 TRANSPORTING, PROCESSING, MANUFACTURING AND RETAILING IS AUTHORIZED IN  
36 THIS STATE PURSUANT TO THIS ARTICLE AND THE RULES AND ORDERS ADOPTED BY  
37 THE DIRECTOR.

38 ~~E. If authorized under federal law, the commercial production,~~  
39 ~~processing, manufacturing, distribution and commerce of industrial hemp in~~  
40 ~~this state is allowed outside of the agricultural pilot program.~~

41 E. INDUSTRIAL HEMP RESEARCH MAY BE CONDUCTED IN THIS STATE UNDER AN  
42 EXEMPT FEE LICENSE ISSUED BY THE DEPARTMENT IF INDUSTRIAL HEMP PRODUCED  
43 DOES NOT ENTER THE STREAM OF COMMERCE AND IS DISPOSED OF ACCORDING TO THE  
44 RULES AND ORDERS ADOPTED BY THE DIRECTOR. HEMP SEED PRODUCED UNDER AN

1 EXEMPT FEE LICENSE THAT COMPLIES WITH SECTION 3-316 MAY BE SOLD OR  
2 DISTRIBUTED.

3 Sec. 3. Section 3-313, Arizona Revised Statutes, is amended to  
4 read:

5 3-313. Rulemaking; fees; intent

6 A. For the purposes of carrying out this article, the director  
7 shall:

8 ~~1.~~ adopt rules pursuant to title 41, chapter 6 to:

9 1. Oversee the licensing, production and management of industrial  
10 hemp and hemp seed in this state ~~pursuant to this article~~.

11 2. OVERSEE AND PRESCRIBE REQUIREMENTS FOR MANUFACTURING, LABELING  
12 AND RETAIL SALE OF HEMP-DERIVED PRODUCTS IN THIS STATE.

13 ~~2.~~ 3. ~~Adopt~~ ESTABLISH fees ~~by rule~~.

14 ~~3.~~ 4. Authorize qualified applicants to propagate, PRODUCE,  
15 harvest, transport, ~~or~~ process OR MANUFACTURE, or any combination thereof,  
16 industrial hemp ~~according to rules adopted by the director~~.

17 5. PROTECT THE HEALTH, SAFETY AND WELFARE OF CONSUMERS.

18 6. REQUIRE HEMP-DERIVED PRODUCTS BE SOLD AND MARKETED ONLY TO  
19 PERSONS WHO ARE AT LEAST TWENTY-ONE YEARS OF AGE.

20 7. PROHIBIT HEMP-DERIVED PRODUCTS FROM RESEMBLING A HUMAN, AN  
21 ANIMAL, AN INSECT, A FRUIT, A TOY, A CARTOON OR FOOD.

22 8. PROHIBIT LICENSEES FROM OFFERING HEMP-DERIVED PRODUCTS THAT  
23 RESEMBLE FOOD OR DRINK PRODUCTS INTENTIONALLY MARKETED TO CHILDREN.

24 9. ENSURE LICENSEES' HEMP-DERIVED PRODUCTS ARE SECURELY STORED AND  
25 NOT ACCESSIBLE TO PERSONS WHO ARE UNDER TWENTY-ONE YEARS OF AGE.

26 10. REQUIRE MANUFACTURERS TO INCLUDE A WEBSITE LINK BY INCLUDING A  
27 QUICK RESPONSE CODE ON ALL HEMP-DERIVED PRODUCT PACKAGING THAT LINKS TO  
28 THE MANUFACTURER'S WEBSITE, THE MANUFACTURER'S FULL PANEL CERTIFICATE OF  
29 ANALYSIS PROVIDED BY AN INDEPENDENT THIRD-PARTY LABORATORY AND THE  
30 MANUFACTURER'S NAME, PHYSICAL ADDRESS, TELEPHONE NUMBER AND EMAIL ADDRESS.

31 11. REQUIRE MANUFACTURERS TO SUBMIT HEMP-DERIVED PRODUCTS OFFERED  
32 FOR SALE IN THIS STATE TO SEEK A CERTIFICATE OF ANALYSIS FROM AN  
33 INDEPENDENT THIRD-PARTY LABORATORY, WHICH SHALL INCLUDE ANALYTICAL RESULTS  
34 FOR THE AMOUNT OF PESTICIDES, MICROBIALS, RESIDUAL SOLVENTS, HEAVY METALS  
35 AND POTENCY.

36 12. DEVELOP A WARNING LABEL THAT INCLUDES A STATEMENT THAT USE OF  
37 HEMP-DERIVED PRODUCTS MAY AFFECT THE HEALTH OF A PREGNANT WOMAN AND THE  
38 UNBORN CHILD. THE WARNING LABEL SHALL ALSO INCLUDE A STATEMENT THAT  
39 STATES CONSUMERS MAY FAIL A DRUG TEST IF THEY INGEST THE PRODUCT. THE  
40 LABEL SHALL BE AFFIXED TO THE PACKAGING OF ANY HEMP DERIVED PRODUCT.

41 B. The legislature intends that the fees adopted pursuant to  
42 subsection A, paragraph ~~2~~ 3 of this section be used to fund the  
43 department's activities in licensing, testing, inspecting and supervising  
44 industrial hemp production AND REGULATING HEMP-DERIVED PRODUCTS.

1 Sec. 4. Section 3-314, Arizona Revised Statutes, is amended to  
2 read:

3 3-314. Industrial hemp licenses; applications; fees;  
4 fingerprinting requirements; renewal; revocation

5 A. A grower, harvester, transporter, ~~or~~ processor, MANUFACTURER OR  
6 RETAILER shall obtain an industrial hemp license from the department.

7 B. A grower, harvester, transporter, ~~or~~ processor, MANUFACTURER OR  
8 RETAILER shall apply for a license pursuant to rules and orders adopted by  
9 the director.

10 C. An application for an original or renewal industrial hemp  
11 license shall comply with all of the following:

12 1. Be on a form that is provided by the department.

13 2. Include complete and accurate information.

14 3. Be accompanied by the license fee prescribed by the director.

15 The director shall deposit, pursuant to sections 35-146 and 35-147, fees  
16 collected under this paragraph in the industrial hemp trust fund  
17 established by section 3-315.

18 D. An applicant shall provide proof to the department of having a  
19 valid fingerprint clearance card issued pursuant to section 41-1758.07 for  
20 the purpose of validating applicant eligibility. THIS SUBSECTION DOES NOT  
21 APPLY TO AN APPLICANT FOR A RETAIL LICENSE.

22 E. A license issued pursuant to this section is valid for ~~one year~~  
23 THE YEAR THE LICENSE IS ISSUED, unless revoked, and may be renewed as  
24 provided by the department. Rather than renewing a licensee's license  
25 every year, a licensee may renew the licensee's license every two years by  
26 paying a license fee that is twice the amount designated by the fee  
27 schedule in rule that is adopted by the director and other applicable  
28 fees. Licensees that renew every two years shall comply with any annual  
29 reporting requirements.

30 F. The department may revoke or refuse to issue or renew a license  
31 for a violation of any law of this state, any federal law or any rule or  
32 order adopted by the director.

33 ~~G. A member of an Indian tribe may apply for a license pursuant to~~  
34 ~~this section. If a member of an Indian tribe is issued a license pursuant~~  
35 ~~to this section, the member is subject to the requirements prescribed in~~  
36 ~~this article.~~

37 Sec. 5. Section 3-316, Arizona Revised Statutes, is amended to  
38 read:

39 3-316. Recordkeeping, inspection, transportation and  
40 distribution requirements

41 A. ~~A grower, harvester, transporter or processor of industrial hemp~~  
42 ~~that is licensed~~ ALL LICENSEES pursuant to this article shall keep and  
43 maintain records as required by rule or order. The director or the  
44 director's designee may inspect or audit the records during normal

1 business hours to ensure compliance with this article or any department  
2 rule or order.

3 B. The director or the director's designee may physically inspect  
4 an industrial hemp site to ensure compliance with this article or any  
5 department rule or order. During any physical inspection of an industrial  
6 hemp site, the director or the director's designee may take a  
7 representative sample for OFFICIAL analysis by the state agricultural  
8 laboratory or a laboratory that is certified by the state agricultural  
9 laboratory. If THE OFFICIAL ANALYSIS DETERMINES a crop contains, ~~an~~  
10 ~~average carboxylated~~ WITHIN AN ACCEPTABLE MARGIN OF ERROR, A TOTAL delta-9  
11 tetrahydrocannabinol concentration that exceeds three-tenths percent on a  
12 dry-weight basis or violates any other pesticide law, the department may  
13 take corrective action pursuant to section 3-317.

14 C. THE TOTAL DELTA-9 TETRAHYDROCANNABINOL CONCENTRATION MAY BE  
15 CALCULATED BY USING A CHROMATOGRAPH TECHNIQUE THAT USES HEAT, SUCH AS GAS  
16 CHROMATOGRAPHY, THROUGH WHICH TETRAHYDROCANNABOLIC ACID IS CONVERTED FROM  
17 ACID FORM TO NEUTRAL FORM, KNOWN AS TETRAHYDROCANNABINOL. THE TOTAL  
18 TETRAHYDROCANNABINOL MAY ALSO BE CALCULATED BY USING A LIQUID  
19 CHROMATOGRAPH TECHNIQUE THAT USES THE CONVERSION [TOTAL THC = (0.877 X  
20 TETRAHYDROCANNABOLIC ACID) + TETRAHYDROCANNABINOL].

21 ~~E.~~ D. Notwithstanding section 13-3405, the director or the  
22 director's designee may possess and transport samples of cannabis  
23 sativa L. collected for testing to determine ~~delta-9 tetrahydrocannabinol~~  
24 ~~concentration for eligibility as industrial hemp~~ COMPLIANCE WITH THIS  
25 ARTICLE.

26 ~~D.~~ E. Only a ~~licensed grower, harvester, processor or transporter~~  
27 ~~or LICENSEE~~, the director or the director's designee may transport  
28 industrial hemp off the industrial hemp site. When transporting  
29 industrial hemp off the industrial hemp site, the ~~licensed grower,~~  
30 ~~processor or transporter~~ LICENSEE shall carry the licensing documents as  
31 evidence that the industrial hemp was ~~grown by a licensed grower~~ PRODUCED  
32 IN COMPLIANCE WITH THIS ARTICLE AND THE RULES ADOPTED BY THE DIRECTOR.  
33 This subsection does not apply to the transportation of ~~hemp~~ HEMP-DERIVED  
34 products.

35 ~~E.~~ A ~~licensed grower~~ shall notify the department of all of the  
36 following:

37 1. ~~The sale or distribution of any industrial hemp grown under the~~  
38 ~~grower's license.~~

39 2. ~~The name and address of the person or entity receiving the~~  
40 ~~industrial hemp.~~

41 3. ~~The amount of the industrial hemp sold or distributed.~~

42 F. THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY ENTER ANY PUBLIC OR  
43 PRIVATE PREMISES DURING REGULAR BUSINESS HOURS IN ORDER TO ACCESS  
44 REGULATED PRODUCTS AND RECORDS AND EVALUATE COMPLIANCE WITH THIS ARTICLE

1 AND ANY DEPARTMENT RULE AND ORDER. DURING ANY PHYSICAL INSPECTION OF A  
2 LICENSEE, THE DIRECTOR OR THE DIRECTOR'S DESIGNEE MAY COLLECT A SAMPLE OF  
3 ANY HEMP-DERIVED PRODUCT FOR ANALYSIS BY THE STATE AGRICULTURAL LABORATORY  
4 OR A LABORATORY CERTIFIED BY THE STATE AGRICULTURAL LABORATORY.

5 Sec. 6. Section 3-317, Arizona Revised Statutes, is amended to  
6 read:

7 3-317. Corrective actions; hearing

8 A. The director shall adopt rules to address, correct and remediate  
9 violations of this article and rules or orders adopted pursuant to this  
10 article.

11 B. The director may:

12 1. Issue and enforce a written cease and desist order against  
13 ~~a grower, harvester, transporter or processor of~~ any industrial hemp  
14 LICENSEE that the director finds is in violation of this article. The  
15 order shall prohibit the further sale, MANUFACTURING, processing or  
16 transportation of the industrial hemp OR HEMP-DERIVED PRODUCTS except on  
17 approval of the director.

18 2. Issue a stop sale order.

19 3. Seize and destroy any crop, harvested crop, ~~or~~ hemp seed OR  
20 HEMP-DERIVED PRODUCT that does not comply with this article or any rule or  
21 order adopted pursuant to this article.

22 4. Take any other action to enforce this article and the rules and  
23 orders adopted pursuant to this article.

24 C. A person who violates this article or any rule or order adopted  
25 pursuant to this article may request a hearing before an administrative  
26 law judge pursuant to title 41, chapter 6, article 10. The decision of  
27 the administrative law judge is subject to review by the director as  
28 provided by title 41, chapter 6, article 10. A request pursuant to this  
29 subsection does not stay a cease and desist order issued pursuant to this  
30 section.

31 Sec. 7. Section 3-318, Arizona Revised Statutes, is amended to  
32 read:

33 3-318. Industrial hemp advisory council; members; duties

34 A. The director shall establish by rule or order an industrial hemp  
35 advisory council to assist and make recommendations to the director  
36 regarding the administration and implementation of this article. The  
37 director shall appoint five members to the council, including one public  
38 member.

39 B. The industrial hemp advisory council shall:

40 1. Advise the director regarding expenditures from the industrial  
41 hemp trust fund.

42 2. ANNUALLY REVIEW ALL RULES AND ORDERS ADOPTED BY THE DIRECTOR  
43 PURSUANT TO THIS ARTICLE TO ENSURE COMPLIANCE WITH FEDERAL LAW.



1           3. RECOMMEND STATUTORY AND RULE CHANGES TO THE DIRECTOR THAT ARE  
2 NECESSARY TO COMPLY WITH FEDERAL LAW.

3           ~~2.~~ 4. Provide additional assistance as the director deems  
4 necessary.

5           Sec. 8. Section 3-320, Arizona Revised Statutes, is amended to  
6 read:

7           3-320. Affirmative defense

8           A. It is an affirmative defense to any prosecution for the  
9 possession or cultivation of marijuana OR NARCOTIC DRUGS pursuant to title  
10 13, chapter 34 that the defendant is a licensee, or a designee or agent of  
11 a licensee, who is in compliance with this article.

12           B. This section is not a defense to a charge of possession, sale,  
13 transportation or distribution of marijuana OR NARCOTIC DRUGS pursuant to  
14 title 13, chapter 34 that is not industrial hemp.

15           Sec. 9. Exemption from rulemaking

16           Notwithstanding any other law, for the purposes of this act, the  
17 Arizona department of agriculture is exempt from the rulemaking  
18 requirements of title 41, chapter 6, Arizona Revised Statutes, for one  
19 year after the effective date of this act.