

Fifty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1428

Introduced by

Representatives Monson, R. Kelsch, Nichols

Senators Heitkamp, D. Mathern, Thane

1 A BILL for an Act to authorize the production of industrial hemp; to create and enact a new
2 section to chapter 63-01.1 of the North Dakota Century Code, relating to the designation of
3 industrial hemp as a noxious weed; and to amend and reenact subsection 13 of section 4-09-01
4 of the North Dakota Century Code, relating to the definition of noxious weed seeds.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. Industrial hemp - Cannabis sativa - Oilseed.** Industrial hemp, cannabis
7 sativa, having no more than three-tenths of one percent tetrahydracannabinol, is recognized as an
8 oilseed. Any person in this state may plant, grow, harvest, possess, process, sell, and buy
9 industrial hemp, cannabis sativa having no more than three-tenths of one percent
10 tetrahydracannabinol.

11 **SECTION 2. AMENDMENT.** Subsection 13 of section 4-09-01 of the 1997 Supplement
12 to the North Dakota Century Code is amended and reenacted as follows:

- 13 13. "Noxious weed seeds" means the seeds of either of the following classifications:
- 14 a. "Prohibited noxious weed seeds" means the seeds of perennial weeds which
15 reproduce by seed or spread by underground roots, stems, and other
16 reproductive parts and which, when established, are highly destructive and
17 difficult to control by ordinary good cultural practice including the seeds of
18 leafy spurge (*euphorbia esula* 1.), field bindweed (*convolvulus arvensis* 1.),
19 Canada thistle (*cirsium arvense* 1.), perennial sow thistle (*sonchus arvensis*
20 1.), Russian knapweed (*centaurea picris* pall), absinth wormwood (*artemisia*
21 ~~absinthim~~), ~~hemp (cannabis sativa)~~, musk thistle (*carduus nutans*), spotted
22 knapweed (*centaurea maculosa* lam), and hoary cress (*cardaria draba* 1.).
- 23 b. "Restricted noxious weed seeds" means the seeds of weeds which are highly
24 objectionable in fields, lawns, and gardens, but which can be controlled by

1 good cultural practices or other means, including the seeds of dodder
2 (cuscuta species), hedge bindweed (convolvulus sepium), wild oats (avena
3 fatua), and quackgrass (agropyron repens 1. beauv.).

4 **SECTION 3.** A new section to chapter 63-01.1 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Noxious weed lists - Cannabis sativa.** Neither the commissioner nor a county weed
7 board may include industrial hemp, cannabis sativa having no more than three-tenths of one
8 percent tetrahydracannabinol, on the state list of noxious weeds or on any county list of noxious
9 weeds.