

Notice on Transportation of Industrial Hemp in Kansas

February 4, 2021

Beginning January 8, 2021, no license is required to transport unprocessed industrial hemp in Kansas; however, individuals transporting industrial hemp must adhere to K.A.R. 4-34-26 pursuant to K.S.A. 2-3901 *et. seq.* and amendments thereto.

K.A.R. 4-34-26. Transportation of industrial hemp.

(a) Each licensee who sells, trades, barter, gives away, or otherwise transfers any unprocessed industrial hemp to any other person shall ensure that the unprocessed industrial hemp is accompanied by a signed bill of lading that includes the licensee's license number, the total quantity of industrial hemp transferred, the date the transfer occurred, and the name of the person acquiring the industrial hemp. A certificate of analysis or other similar document shall be attached to the bill of lading.

(b) Each person who sells, trades, barter, gives away, or otherwise transfers unprocessed industrial hemp subsequent to an initial transfer involving unprocessed industrial hemp as specified in subsection (a) shall record the transfer and shall amend the bill of lading or attach the information regarding the subsequent transfer to the original bill of lading and shall include the name of the person acquiring possession of the industrial hemp, the amount of industrial hemp transferred, and the date of the transfer. Any individual in possession of unprocessed industrial hemp plants, plant parts, grain, or seeds without a valid hemp producer's license or a bill of lading may be presumed to have unlawfully cultivated or produced hemp in violation of the act or gained possession of industrial hemp plants, plant parts, grain, or seeds that were cultivated or produced in violation of the act.

(c) Each licensee shall comply with all local, state, and federal laws and regulations related to the transportation of industrial hemp and with the act. (Authorized by and implementing K.S.A. 2019 Supp. 2-3906; effective Jan. 8, 2021.)

Regardless of the requirements in K.A.R. 4-34-26, industrial hemp must meet the definition as provided in K.S.A. 2-3901(b)(7) which states: "*Industrial hemp*" means all parts and varieties of the plant *cannabis sativa L*, whether growing or not, that contain a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis.

Additionally, K.S.A 2-3908 states it is unlawful to manufacture, market, sell, or distribute certain hemp products in Kansas. The statute states it is unlawful to market, sell, or distribute certain hemp products in Kansas without being a registered hemp processor or commercial industrial hemp producer. For more information, please view the statute linked [here](#).

The following copy of selected statutes and regulations is being made available by the Kansas Department of Agriculture for the convenience of the public and is meant to be used only as a reference. While the Kansas Department of Agriculture has made every effort to accurately reproduce these statutes and regulations, they are not the official statutes and regulations of the State. The [Kansas Statutes Annotated](#) (K.S.A.), published by the Revisor of Kansas Statutes, and the [Kansas Administrative Regulations](#) (K.A.R.), published by the Secretary of State should be consulted for the text of the official statutes and administrative regulations of the State.