



Kentucky Department of Agriculture Hemp Licensing Program

2020 HEMP GROWER LICENSE APPLICATION PACKET

Guidelines and Instructions for Grower Applicants

- The Kentucky Department of Agriculture (KDA) is administering the Hemp Licensing Program as authorized by KRS 260.850-260.869 and 302 KAR 50. Individuals and businesses who would like to be considered for a Hemp Grower License in the Commonwealth of Kentucky must submit the *Hemp Grower License Application* for 2020 to KDA, Hemp Licensing Program, 111 Corporate Drive, Frankfort, KY 40601. Complete the full application in this packet, including all required attachments, and return by mail or hand deliver to KDA along with a check or money order for \$200 made payable to Kentucky State Treasurer.
- **New for 2020**
 - Online applications, mapping, payments, requests, and reports
 - Application Fee is \$0 (free)
 - Paper Application has a Service Charge of \$200 (online applications, no service charge)
 - Save \$200 and submit your application online at: www.kyagr.com/hemp
 - Secondary Pre-Harvest Sample fee required for more than 3 samples taken per address
 - Hemp Grower License Applications accepted for 5 months (Deadline: March 15, 2020)
 - Background checks are required for the applicant and key participants in a business entity.
 - Multi-year license, subject to annual renewal requirements
 - Locations should be finalized and submitted with this application, afterwards the Site Modification Request and surcharge will apply
 - Evaluation criteria no longer requires: research plans, farm experience, marketing plan, or seed acquisition plan.
 - Several changes to the sampling and testing protocol, required by the USDA
- **Contents of Application Packet.**
 - Guidelines and Instructions
 - Instructions and Form for Obtaining a KSP Background Check
 - *Signing Authority for Business Entities* form
 - 2020 Fee Schedule
 - Instructions for Creating Maps and Obtaining GPS Coordinates for Submission with your Application
 - *Hemp Grower License Application*. Please submit only the application and required attachments. Do not submit the guidelines and instructions (pages i-x).
- **Application Deadline.** March 15, 2020, 4:30 PM Eastern Time (ET) is the application deadline to obtain a 2020 Hemp Grower License. All 2019 grower license holders should apply prior to January 31, 2020 to prevent a lapse in licensing. All *Hemp Grower License Applications* must be submitted online, postmarked, or hand delivered to the KDA Hemp Licensing Program at 111 Corporate Drive, Frankfort, KY 40601, no later than 4:30 PM ET on March 15, 2020. **Email submissions will NOT be accepted** because the payment for the paper application service charge fee must be attached to the application. KDA shall deny any Hemp Grower License Application that fails to meet the deadline established on this application. KDA recommends that applicants use a delivery method with tracking capabilities when submitting an application by mail; KDA



is not responsible for applications lost in the mail or not received. **Keep a copy of the completed application, all attachments, and, if applicable, the mail receipt and tracking number for your records.**

- **Fee Schedule.** A \$200 nonrefundable service charge fee (check or money order made payable to Kentucky State Treasurer) must be included with a completed paper application upon submission. The \$200 Service Charge is waived for online application submissions. This service charge fee does not apply to any other program costs. See the *2020 Fee Schedule* in this application packet or 302 KAR 50:060. If you are conditionally approved for participation in the program, there will be additional licensing fees. **Be sure to carefully review these fees later in these instructions on page vii.**
- **Complete Applications.** Applications must be complete, accurate, and legible. Follow all instructions in the document. Applications and any attachments may be subject to Kentucky Open Records law (KRS 61.870 through KRS 61.884). **KDA is not required to request additional information for clarity of the application.** Any *Hemp Grower License Application* that is missing required information shall be subject to denial.
- **Application from a Business Entity.** A Hemp Grower License can be issued to an individual, an established business entity, or a university or college faculty member for research only.
 - The “applicant” is the person, or the person authorized to sign for a business entity, who submits an application.
 - KDA requires the submission of a *Signing Authority for Business Entities*, found on page vi, when the applicant is representing a business entity and the applicant is not listed on the businesses entry on the Kentucky Secretary of State website. Only the applicant, who is the signing authority, for the business is allowed to make decisions for the company in matters related to a Kentucky hemp license.
 - Only ONE signing authority shall be allowed to represent a business entity.
 - If during the application process, or at any point after a *hemp license* is issued by the Kentucky Department of Agriculture, a business entity requires a change of signing authority, a new *Signing Authority for Business Entities* form, a current background check, and copy of the individual’s driver’s license must be submitted together in a change request to KDA.
- **Application Review.** The KDA will evaluate each application based on the review criteria set forth in regulations 302 KAR 50 *Policies and Procedures for Hemp Growers*.
- **Background Checks.** Before conditional approval will be granted, a Kentucky State Police (KSP) background check must be received and reviewed by KDA. As the issuance of a background check can take KSP up to two weeks to complete, it is recommended that applicants submit a KSP background check request immediately. See the *Instructions for Obtaining a Kentucky State Police Background Check* and the associated form attached to the application. **Note: These requests must be sent directly to KSP (DO NOT SEND TO KDA) and the report received by the KDA Hemp Licensing Program with the application.**
- **Orientation.** All conditionally approved applicants must complete a KDA orientation session where they will receive further instructions, prior to submitting payment of the Licensing Fees, and being issued a *Hemp Grower License*. Orientation will be completed online for applicants who submitted online applications. Those submitting paper applications can expect a scheduled orientation within 3 months of your application submission.
- **Timeline.** The **expected** timeline for approval of 2020 hemp grower applications is as follows:
 - **November 15, 2019** – 2020 hemp license applications become available.
 - **Online Application Evaluation** – Within 30 days of submission.
 - **Paper Applications** – Evaluation of submitted paper applications are expected to be complete within 2 months of receipt. Orientation and licensing will take place within 1 additional month. Expect licensing within 3 months of paper application.

For more information on the KDA Hemp Licensing Program, please visit www.kyagr.com/hemp.

Instructions for Obtaining a Kentucky State Police Background Check

New for 2020 – Background checks are required on all key participants in a business entity.

Consistent with federal law, KDA requires a Kentucky State Police (KSP) background check on each hemp license applicant plus additional “key participants” within a business entity seeking a license. A “key participant” within a business entity is a person or persons who have a direct or indirect financial interest in the entity producing hemp, such as an owner or partner in a partnership. A key participant also includes persons in a corporate entity at executive levels including chief executive officer, chief operating officer and chief financial officer. This does not include such management as farm, field or shift managers.

Background checks are required annually. Your request will be processed by the Kentucky State Police (KSP) office listed below.

KSP Records Branch, Criminal Records Dissemination Section

Address: 1266 Louisville Road, Frankfort, KY 40601

Phone: 502-227-8700

Business hours: M-F 8:00 AM - 4:30 PM Eastern Time (ET).

Website: <http://kentuckystatepolice.org/forms/background-check-forms/>

You must complete the form on the next page or use the original form at:

http://kentuckystatepolice.org/wp-content/uploads/2017/12/employment_rev11_10.pdf

- You may submit the request and payment in person where it can be processed while you wait (typically 15 minutes).

Required for a mailed submission of the background check:

1. Completed **Request for Conviction Records-Employment/Professional License** form found on the following page
2. \$20 check made payable to Kentucky State Treasurer
3. Self-Addressed Stamped Envelope (SASE) for a copy to be returned to **YOURSELF**
4. Mail items 1-4 listed above to:
Kentucky State Police
Criminal Identifications and Records Branch 1266
Louisville Road
Frankfort, KY 40601

The Request for Conviction Records/Employment/Professional License form (also known as the background check request) must be mailed or hand-delivered to Kentucky State Police; DO NOT SEND THIS REQUEST TO KDA.

Once you receive your background check in the mail, you will submit that with your application by uploading a pdf of the form into the hemp application software program. DO NOT SEND YOUR BACKGROUND CHECK TO KDA SEPARATE FROM YOUR HEMP APPLICATION.



REQUEST FOR CONVICTION RECORDS - EMPLOYMENT/PROFESSIONAL LICENSE

Request is made for any record of conviction found in the files of the Kentucky centralized criminal history record information system regarding the person identified herein. This information shall be released to:

Kentucky Dept of Agriculture, ATTN: Industrial Hemp Program, 111 Corporate Dr, Frankfort, KY 40601

Agency/Organization Name and Address

ACKNOWLEDGMENT BY APPLICANT

I am requesting that the Kentucky State Police provide the above named agency/organization with any record of conviction found in the files of the Kentucky centralized criminal history record information system. I know that I have the right to inspect my criminal history record and to request correction of any inaccurate information. If I do not exercise that right, I agree to hold harmless the Kentucky State police and any Kentucky State Police employee(s) from any claim for damages arising from the dissemination of inaccurate information.

APPLICANT INFORMATION (PLEASE PRINT)

NAME:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>			
	First	Middle	Last	Maiden			
ADDRESS:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>			
	Street	City	State	Zip			
SEX:	<input type="text"/>	RACE:	<input type="text"/>	DATE OF BIRTH:	<input type="text"/>	SOC SEC NO:	<input type="text"/>

Signature Date

Witness Date

INSTRUCTIONS:

Requesting agencies/organizations should ensure that all application information is completed.

Requesting agencies/organizations should forward a check or money order made payable to the **Kentucky State Treasurer** in the amount of **\$20.00** for each submitted form. Requests should be accompanied by **two, self-addressed stamped envelopes** – one bearing the name and address of the requesting agency/organization and the other bearing the name and address of the applicant.

The Kentucky State Police will charge a \$25.00 fee on each returned check.

RETURN THIS FORM TO:

Kentucky State Police
Criminal Identifications and Records Branch
Criminal Records Dissemination Section
1266 Louisville Road
Frankfort, KY 40601

Visit us online @ <http://kentuckystatepolice.org>

Revised 10/08



Ryan F. Quarles
Commissioner



Kentucky Department of Agriculture

Office of Agriculture Marketing
Industrial Hemp Program
111 Corporate Drive
Frankfort, KY 40601
Phone: (502) 573-0282

Signing Authority for Business Entities (e.g., LLCs, Corporations, etc.)

This form is a required attachment for all applications from a business entity whose applicant/signing authority is not listed on the Kentucky Secretary of State website for this business entity.

If completing this form electronically, navigate the form with the mouse or select the next field using the down arrow key.

Name of Business Entity	
Complete Business Street Address	
KY Secretary of State Organization Number	
Date of Last Annual Report	

At the _____ (Date) meeting of the board of directors of the organization listed above, the entity authorized the below individual

	Printed Name	Title
Signing Authority*		

*must have an annual background check and copy of driver's license on file with KDA prior to issuance of a hemp license.

to sign all documents submitted on the entity's behalf to KDA. The acknowledges that a change of authorization to sign documents requires written notice to KDA.

I certify that this information is true and correct, and that the authorization was granted at the board meeting that occurred on the date noted above.

Signature

(must be an officer who is listed on Secretary of State website)

Printed Name

Title

Date



KDA Hemp Licensing Program: 2020 Fee Schedule

Fee Type	Program Fees*	Fee Due Date
Application Fee	NO Application Fees assessed for 2020	@ time of application
Service Charge	\$200 for paper applications (nonrefundable; does NOT apply to Licensing Fee) Not required for on-line applications	@ time of application
Licensing Fee – GROWER	\$400 per growing address NOTE: GPS coordinates for all growing locations (fields and greenhouses/indoor growing sites) and storage locations are submitted on the application. Changes to growing locations after submitting the application will incur a Site Modification Surcharge (see below). More than 3 required samples at an address will incur the Secondary Pre-Harvest Sample fee (see below).	After orientation, prior to licensing. Annually prior to renewal of license
Licensing Fee – PROCESSOR / HANDLER (Due annually)	Fees per Processing Type <ul style="list-style-type: none"> Handlers - \$500 annual fee <ul style="list-style-type: none"> An example of a “handler” includes any private lab or service provider, such as a seed cleaner. Fiber Processor - \$500 annual fee Grain Processor - \$500 annual fee Floral Material Processor - \$3,000 annual fee <p>NOTE 1: License holders working with multiple harvestable components will be required to pay an annual fee for EACH component.</p>	After orientation, prior to licensing. Annually prior to renewal of license
Site Modification Surcharge (SMS)	\$750 / each change or addition of GPS coordinates Defined as any change to the GPS coordinates for processing or growing locations at an existing address on the <i>Hemp License</i> , or for the addition of each GPS coordinate at an address not already on the <i>Hemp License</i> . Storage location changes or additions will not incur the SMS.	@ submission of <i>Site Modification Request</i> form
Secondary Pre-Harvest Sample	\$250 per sample Only the first 3 samples/tests per address are covered by the Licensing fee. All additional samples (above 3) required at a licensed address will require a Secondary Pre-Harvest Sample fee of \$250 per sample. Each “lot” must be sampled separately. A “lot” is a contiguous planting of the same variety/strain. Secondary Pre-Harvest Sample fee also applies if we are required to resample a lot due to grower’s failure to harvest within 15 days of first sample.	Within 15 days of invoice by KDA

* Fees for paper applications must be submitted in the form of a check or money order made payable to Kentucky State Treasurer.

Instructions for Creating Maps and Obtaining GPS Coordinates for Submission with the Application

The following instructions outline required site map contents and basic instructions for obtaining a map. A detailed set of instructions for Google Earth to generate GPS coordinates and maps can be found on KDA's website at: http://www.kyagr.com/marketing/documents/HEMP_APP_How-to-Google-Earth-2018.pdf. If you need more information after reading these complete instructions, contact Hemp@ky.gov.

You are required to provide to KDA a photographic aerial map of all growing, handling, and storage locations. This requirement applies to all applicants and License Holders, and will assist with the KDA's required reporting to law enforcement.

Each map should be **in color** and contain the following:

- Contain only one address per map and all licensed sites at that address.
- The applicant's full name printed on the page.
- If applicable, the full name of the business entity.
- The map location's street address, city, state and zip code printed on the page.
- "E" marking the primary farm/site entrance on the map. "E2" marking any secondary entrances.
- Be zoomed out to show the site location, a public roadway, and the road name.
- Field location. This includes the:
 - Outline of each separate field to be used for contiguous planting (see next page for explanation of contiguous);
 - Location ID/name for each separate field; and
 - Indicate the acreage for that field intended for contiguous planting.

NOTE: A contiguous field will NOT have any breaks, fence lines, tree lines, or roads dividing the field. Any field division shall be seen as two or more separate fields.

- Greenhouses, indoor growing structures, storage buildings, or handling facilities and the location ID/name of each structure.
- GPS coordinates for each field or building are not required on the map, but must be supplied in the application table. GPS coordinates should be provided in DEGREES DECIMAL MINUTES (dd° mm.mmm'; example: *lat: 38° 9.919'N, long: 84° 49.267'W*) with a pinpoint showing exactly where the GPS coordinate was taken. The Google Earth instructions on KDA's website (link in top paragraph) give specific instructions for obtaining the coordinates in the correct format.
 - Use Google Earth or another web based mapping program, or obtain GPS coordinates off your smartphone. If you are unable to get the required coordinates in this way, please visit www.geoplaner.com.

KDA prefers maps created with Google Earth. You can download Google Earth Pro for free by visiting <https://www.google.com/earth/download/gep/agree.html>. If asked for a registration key, enter "GEPFREE".

Google Maps, MapQuest maps or another similar program; Property Valuation Administration (PVA) maps; or Soil Conservation maps with legible handwritten information will suffice. To obtain a map online:





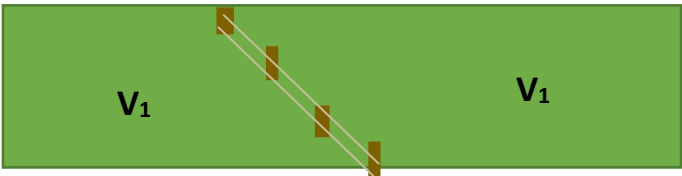
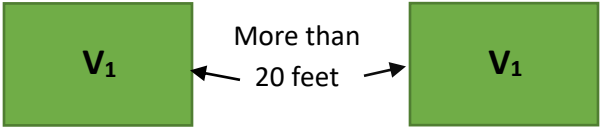
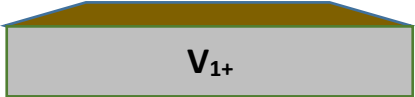
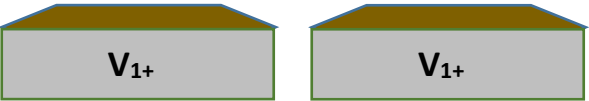
- You can go to Google Maps online at <http://maps.google.com/>. When you have the address on your screen, you can click the button in the lower left corner that says "Earth" or "satellite" for an aerial view of the location.

Print out the map when you are satisfied with the level of zoom (i.e, should show at least one nearby road, the entrance to the site, and the location of the hemp locations), then finish by handwriting the required information.

What is a Contiguous Location and a Lot?

A contiguous field will NOT have any breaks, fence lines, tree lines, or roads dividing the field. Any field division shall be seen as two or more separate fields. A "Lot" is a contiguous planting of the same variety/strain of hemp.

Greenhouses and other indoor growing locations are treated as individual structures and need separate coordinates.

Contiguous Locations?	Diagram V = variety
Yes, 1 Field	
Yes, 1 Field, 3 Lots	
<u>NO, 2 Fields, 2 Lots</u> <u>Reason:</u> Field divided by trees or hedgerow.	
<u>NO, 2 Fields, 2 Lots</u> <u>Reason:</u> Field divided by stream.	
<u>NO, 2 Fields, 2 Lots</u> <u>Reason:</u> Field divided by fence.	
<u>NO, 2 Fields, 2 Lots</u> <u>Reason:</u> Field divided by space of more than 20 feet.	
Yes, 1 Building, number of Lots depends on varieties	
<u>NO, 2 Buildings, multiple lots</u> <u>Reason:</u> Two separate buildings and multiple varieties.	





Kentucky Department of Agriculture 2020 Hemp Licensing Program

Hemp Grower License Application Deadline: March 15, 2020, 4:30 PM ET

Anyone growing or handling hemp in the Commonwealth of Kentucky must successfully complete the full application process with the Kentucky Department of Agriculture (KDA) and be issued a *Hemp Grower License* before taking possession of any viable hemp seeds/propagules or in-program harvested hemp materials. Growers must submit this *Hemp Grower License Application*; processors, handlers, or service providers must complete the *Hemp Processor/Handler License Application*.

Directions: Complete all parts of the following application and submit this application, the \$200 nonrefundable service charge, and all required attachments to Kentucky Department of Agriculture, Hemp Licensing Program, 111 Corporate Drive, Frankfort, KY 40601. Email submissions will not be accepted as the check must be attached. Be sure to keep a copy of the full application for your records.

Online applications are available at www.kyagr.com/hemp and no service charge is required for online applications. DO NOT submit both an online and paper application. Read all instructions on the previous pages i through x, and follow them carefully.

If completing this form electronically, navigate the form with the mouse or select the next field using the down arrow key.

Applicant Information

1) Applicant Name:

(Individual or signing authority for business entity- NOT a company name. List name as it appears on the background check.)

2) Primary Residential Address of Applicant:

3) Are you applying as an individual or as a business?

Check or Circle one: ☐ Individual (Complete Part A in this table; skip Part B)
☐ Business Entity (Skip Part A; Complete Part B in this table, next page)

A. If applying as an Individual, complete Section A, questions A1 – A4, and skip Section B. If applying as a business, skip Section A, complete Section B below and on next page.

A1. Mailing Business Address of Individual Applicant:

A2. Email for Applicant:

Note: Email is the primary method of communication for this program.

A3. Cell Phone of Applicant:

A4. Home Phone of Applicant:

B. If applying as a business, complete Section B, questions B1-B9. As listed with the Secretary of State. NOTE: For business application, the business MUST be an established legal entity registered with the Kentucky Secretary of State.

B1. Name of Business:

B2. EIN:

OFFICIAL USE ONLY.

Date Rcd is Postmark or Walk-in

Background Check, Yes or No

Check #:



B3. Is the applicant (listed in 1) listed on the current filing with the Secretary of State? <input type="checkbox"/> Yes - <i>Signing Authority for Business Entities Form</i> NOT required. <input type="checkbox"/> No - <i>Signing Authority for Business Entities Form</i> REQUIRED	
B4. Business type (example: LLC, C-Corp., Partnership, etc.):	
B5. Principal Business Address:	
B6. Business Address Location in Kentucky:	
B7. Title of Applicant (individual signing authority):	
B8. Email for Applicant:	
B9. Cell Phone:	B10. Business Phone:
Key Participants: (see definition on Instructions for Obtaining KSP Background Check, pg. iv)	
1-Name:	Title:
Business Address:	
Phone Number:	Email:
2-Name:	Title:
Business Address:	
Phone Number:	Email:
3-Name:	Title:
Business Address:	
Phone Number:	Email:

**Attach additional sheet if necessary.*

- 4) You may authorize TWO secondary contact persons, other than the applicant, to send and receive information related to your hemp application and license. They may include key participants. They will be able to send in reports and may receive all communications, but will not have the authority to make changes to the license. If you would like to add secondary contact person(s), complete the table below.

Name	Address	Email	Phone

- 5) Are you a current KDA employee or do you have any family working as a current KDA employee? (Note: A yes to this question, does not immediately disqualify applicant.)

☐ Yes ☐ No

"Family" means spouse and children, as well as a person who is related to a public servant as any of the following, whether by blood or adoption: parent, brother, sister, grandparent, grandchild, father-in-law, mother-

in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister. KRS 11A.010(4)

- 6) If you answered “Yes” to question 6, complete the following table. If “No”, skip to Question 7.

Name of current KDA Employee who is a family member	Relationship	KDA Office, if known

- 7) Were you previously a license holder in the KDA Hemp Licensing Program? All 2019 license holders should submit this application prior to January 31, 2020 to prevent a lapse in your Hemp Grower License.

☐ Yes ☐ No

- 8) Indicate the proposed focus of your 2020 hemp project (check all that apply).

- ☐ Grain
☐ Fiber
☐ Floral Material (CBD, other cannabinoids, terpenoids, or any other extracts)
☐ Replication of seeds
☐ Production of transplants (seedlings or clones)
☐ Other (describe): _____

- 9) Have you been convicted of a felony or a drug-related misdemeanor or violation within the last ten (10) years? ☐ Yes ☐ No If “Yes”, provide dates and details about the conviction(s).

NOTE: It is recommended that applicants submit a KSP background check request at least two weeks prior to the application deadline. If requesting a background check by mail, it will take two (2) weeks. Background check instructions and the proper forms can be found in the application instructions.

Dates and Details of Convictions:

Acknowledgments

Read each of the acknowledgment statements below and check “Yes” or “No” to indicate your understanding and acceptance of each statement.

- 1) A person who does not hold a license from the department shall not: Grow, cultivate, handle, or process; or broker, store, or market hemp or other cannabis that does not fall within the definition of a "publicly marketable hemp product" at any location within the Commonwealth.

☐ Yes ☐ No

- 2) A person under the age of eighteen (18) years of age shall not apply for or hold a grower license.

☐ Yes ☐ No

- 3) The department shall deny any Hemp Grower License Application that fails to meet the deadline established in the application, March 15, 2020. All 2019 grower license holders should apply before January 31, 2020 to avoid a lapse in your licensing status.

☐ Yes ☐ No

- 4) Each applicant shall pay a grower service charge fee in the amount established in 302 KAR 50, \$200 for paper applications and no fee for online applications.

☐ Yes ☐ No

- 5) The service charge fees shall not cover or include the cost of the criminal background checks.

☐ Yes ☐ No

- 6) I acknowledge that the following fees will apply, in addition to the nonrefundable service charge fee, if my application is approved:

- Licensing Fee = \$400 per growing address, due prior to issuance of *Hemp Grower License*.
- Secondary Pre-Harvest Sample Fee = \$250 per sample, due within 15-days of invoice by KDA.
Required for additional samples mandated by failure to harvest within 15 days of sampling, or more than 3 samples required at an address. Only the first 3 samples and tests are included in your Licensing fee.
- Site Modification Surcharge = \$750 for each new growing site, due with submission of any *Site Modification Request*. A new growing site is defined as any GPS location not listed in the *Hemp Grower License* (i.e., any change to or addition of GPS coordinates at an address on the Agreement, or for the addition of a GPS coordinate not already on the *Licensing Agreement*). The Site Modification Surcharge does not apply to storage-only sites, but request and approval is still required.
- Failure to pay the required fees, submit required notifications to KDA Hemp Staff, or obtain any necessary written approvals in advance, may result in appropriate action, including expulsion from the program and the destruction of hemp materials without compensation.

☐ Yes ☐ No

- 7) Any Grower License Application that is missing required information shall be subject to denial.

☐ Yes ☐ No

- 8) Acknowledge that licensed growers shall comply with all administrative regulations in 302 KAR 50;

☐ Yes ☐ No

- 9) **Acknowledge that licensed growers shall comply with instructions from representatives of the department and law enforcement agencies;**
☐ Yes ☐ No
- 10) **Consent to entry onto, and inspection of, all premises where hemp or other cannabis plants or materials are located, or licensed to be located, by representatives of the Department and law enforcement agencies, with or without cause, with or without advance notice;**
☐ Yes ☐ No
- 11) **Consent to forfeiture and destruction, without compensation, of:**
a. Material found to have a measured delta-9-THC content in excess of zero and three-tenths (0.3) percent on a dry weight basis;
b. Plants located in an area that is not licensed by the department; and
c. Plants not accounted for in required reporting to the department;
☐ Yes ☐ No
- 12) **Agree to apply for licensing of all growing, handling, and storage locations, including GPS coordinates, and receive department approval for those locations prior to having hemp on those premises;**
☐ Yes ☐ No
- 13) **Acknowledge that licensed growers shall submit a Site Modification Request Form, the appropriate fees based on the requested changes, and obtain prior written approval from a representative of the department before implementing any change to the licensed sites stated in the hemp grower license, and that growing site changes shall be subject to a site modification surcharge in the amount established in 302 KAR 50 for a new set of GPS coordinates;**
☐ Yes ☐ No
- 14) **Acknowledge that anyone applying pesticides to hemp shall hold a pesticide license and apply pesticides in accordance with Section 18 of this administrative regulation;**
☐ Yes ☐ No
- 15) **Acknowledge that the risk of financial or other loss shall be borne solely by the licensed grower;**
☐ Yes ☐ No
- 16) **Acknowledge that licensed growers shall comply with restrictions established by the department limiting the movement of hemp plants and plant parts;**
☐ Yes ☐ No
- 17) **Agree that any time hemp is in transit, a copy of the hemp grower license shall be available for inspection upon the request of a representative of the department or a law enforcement agency;**
☐ Yes ☐ No

18) Agree that, upon request from a representative of the department or a law enforcement agency, a licensed grower shall immediately produce a copy of his or her hemp grower license for inspection;

☐ Yes ☐ No

19) Agree to scout and monitor unlicensed fields for volunteer cannabis plants and to destroy those volunteer cannabis plants for three (3) years past the last date of planting reported to the department;

☐ Yes ☐ No

20) Agree not to employ or rent land to cultivate hemp from any person who was terminated or denied admission to the program for one (1) or both of the following reasons:

- a. Failure to obtain an acceptable criminal background check; or
- b. Failure to comply with an order from a representative of the department;

☐ Yes ☐ No

21) Agree to abide by all land use restrictions for licensed growers set forth in Section 5 of 302 KAR50 as listed here:

- a) A licensed grower shall not plant or grow any cannabis that is not hemp.

☐ Yes ☐ No

- b) A licensed grower shall not plant or grow hemp or other cannabis on any site not licensed

☐ Yes ☐ No

- c) A licensed grower shall not grow hemp or other cannabis in or adjacent to any structure that is used for residential purposes.

☐ Yes ☐ No

- d) A licensed grower shall not handle or store leaf or floral material from hemp or other cannabis in or adjacent to any structure that is used for residential purposes.

☐ Yes ☐ No

- e) Hemp shall be physically segregated from other crops unless prior approval is obtained in writing from the department.

☐ Yes ☐ No

- f) A licensed grower shall plant a minimum of 1,000 plants in each growing site unless prior approval is received in writing from the department.

☐ Yes ☐ No

- g) A licensed grower shall not grow hemp or other cannabis in any outdoor field that is located within 1,000 feet of a school or a public recreational area.

☐ Yes ☐ No

- h) An applicant or licensed grower shall not include any property on his or her application or Site Modification Request, incorporated by reference in 302 KAR 50, to grow or cultivate hemp that is not owned or completely controlled by the applicant or licensed grower.

☐ Yes ☐ No

- i) A licensed grower shall not grow, handle, or store hemp or other cannabis on property owned by, leased from, or previously submitted in a license application by any person who is ineligible or was terminated, or denied admission to the program failure to obtain an acceptable criminal background check, or failure to comply with an order from a representative of the department.

☐ Yes ☐ No

- j) Licensed growers with lots of one (1) acre or less are required to post signage at the lot location. The signage shall include the following information:

- i. The statement, "Kentucky Department of Agriculture Hemp Licensing Program";
- ii. License holder's name;
- iii. License holder's license number; and
- iv. The department's telephone number.

☐ Yes ☐ No

- 22) The department shall apply the criteria established in 302 KAR 50 in evaluating an application for the grower license.**

☐ Yes ☐ No

- 23) The applicant's primary residence shall be located in Commonwealth of Kentucky or within 50 miles of at least one of the applicant's Kentucky growing sites.**

☐ Yes ☐ No

- 24) The applicant shall affirm that the applicant resides at the primary residence listed on the Grower License Application form from May 1 to September 30.**

☐ Yes ☐ No

- 25) The applicant shall not be delinquent in making any required reports or payments to the department in connection with the applicant's participation in the program or other programs within the department.**

☐ Yes ☐ No

- 26) The applicant shall not have any unpaid fees, fines or civil penalties owed to the department.**

☐ Yes ☐ No

- 27) Conditionally approved applicants shall complete a mandatory orientation session at a location designated by the department (online for online applicants), and pay licensing fees prior to receiving a hemp grower license.**

☐ Yes ☐ No

- 28) The department shall not allow any person to complete orientation in lieu of the conditionally approved applicant.**

☐ Yes ☐ No

- 29) An applicant wishing to appeal the department's denial or partial denial of an application shall submit a written request for a hearing postmarked within fifteen (15) days of the date of the department's notification letter or email.
- ☐ Yes ☐ No
- 30) A license holder intending to acquire seeds or propagules first shall determine whether or not the variety or strain intended for purchase is listed on the department's current Summary of Varieties List.
- (a) If the variety or strain is listed on the Summary of Varieties List, no pre-approval from the department is required.
- (b) If the variety or strain is not listed on the Summary of Varieties List, the license holder shall submit a New Hemp Variety or Strain Request Form along with a certificate of analysis for that strain or variety, showing that mature plants grown from that seed variety or strain have a floral material delta-9-THC (must be measured post-decarboxylation, also referred to as total THC) content of not more than 0.300% on a dry weight basis from an independent third-party laboratory.
- ☐ Yes ☐ No
- 31) Agree to submit Planting Reports, Harvest/Destruction Reports, and other reports required by the department to which the grower has agreed, on or before the deadlines established in this administrative regulation;
- ☐ Yes ☐ No
- 32) A licensed grower shall submit to the department a complete and current Greenhouse/Indoor Planting Report within fifteen (15) days after establishing plants at an indoor location and quarterly thereafter.
- ☐ Yes ☐ No
- 33) A licensed grower shall submit to the department a complete and current Field Planting Report, within fifteen (15) days after every planting, including complete replanting, of seeds or propagules in an outdoor location.
- ☐ Yes ☐ No
- 34) The department may collect samples of any cannabis material at any time.
- ☐ Yes ☐ No
- 35) A licensed grower shall submit a complete and current Harvest/Destruction Report form to the department at least fifteen (15) days prior to the intended harvest date or intended destruction of a failed crop.
- ☐ Yes ☐ No
- 36) The department shall collect and retain samples from each lot in accordance with the procedures established in 302 KAR 50.
- ☐ Yes ☐ No

37) UK DRS shall measure delta-9-THC concentration of each hemp sample (post-decarboxylation, often referred to as total THC) in accordance with the procedures established in 302 KAR 50.

☐ Yes ☐ No

38) A licensed grower shall not sell or transfer, or permit the sale or transfer, of living plants, viable seeds, leaf material, or floral material to any person in the Commonwealth who does not hold a license issued by the department.

☐ Yes ☐ No

39) A licensed grower shall not sell or transfer, or permit the sale or transfer, of living plants, viable seeds, leaf material, or floral material to any person outside the Commonwealth who is not authorized to possess such materials under the laws of that jurisdiction.

☐ Yes ☐ No

40) A licensed grower shall not allow another person, other than an agent of the licensed grower, to grow, handle, or store hemp under their license in lieu of obtaining a separate hemp grower license.

☐ Yes ☐ No

41) A license holder shall not make, manufacture or distribute any of the prohibited products listed in 302 KAR 50.

☐ Yes ☐ No

42) The department shall provide information about approved growing, handling, and storage site locations to representatives of the Kentucky State Police, DEA, other law enforcement, and regulatory agencies whose representatives request licensed site information, including GPS coordinates.

☐ Yes ☐ No

43)) The name and county of each license holder will be posted on the department's website.

☐ Yes ☐ No

44) If the department receives information supporting a finding that it is more likely than not that a person has engaged in conduct violating a provision of KRS 260.850 through 260.869, 302 KAR Chapter 50, or the hemp grower license application, then the department shall assess a monetary civil penalty not to exceed \$2,500 per violation.

☐ Yes ☐ No

45) Provide a list of all locations requested for licensing by completing the tables below. ONLY ONE ADDRESS PER PAGE. For separate addresses, use separate pages. Attach additional page(s) as necessary.

Address (Street Number Required- Estimate if no physical number exists)	City	State	Zip	County	Own or Rent

FIELDS (All outdoor growing locations. Each must be at least 0.25 acre in size.)

Location ID	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex: 84° 49.267'W</i>	Acres

GREENHOUSE / INDOOR GROWING

- ☐ Transplants only (either seeded or vegetative cuttings), or seasonal stock plants
- ☐ Stock plants, year round
- ☐ Year-round production with intent to harvest indoor plants

Location ID	Type of Structure <i>ex. Field, Greenhouse, Barn, etc</i>	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex: 84° 49.267'W</i>	Area - Square Feet

STORAGE LOCATIONS

Location ID	Type of Structure <i>ex. Field, Greenhouse, Barn, etc</i>	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex: 84° 49.267'W</i>	Area - Square Feet

46) Second address for locations. For separate addresses, use separate pages. Attach additional page(s) as necessary.

Address (Street Number Required- Estimate if no physical number exists)	City	State	Zip	County	Own or Rent

FIELDS (All outdoor growing locations. Each must be at least 0.25 acre in size.)

Location ID	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex. 84° 49.267'W</i>	Acres

GREENHOUSE / INDOOR GROWING

- ☐ Transplants only (either seeded or vegetative cuttings), or seasonal stock plants
- ☐ Stock plants, year round
- ☐ Year-round production with intent to harvest indoor plants

Location ID	Type of Structure <i>ex. Field, Greenhouse, Barn, etc</i>	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex. 84° 49.267'W</i>	Area - Square Feet

STORAGE LOCATIONS

Location ID	Type of Structure <i>ex. Field, Greenhouse, Barn, etc</i>	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex. 84° 49.267'W</i>	Area - Square Feet

47) Third address for locations. For separate addresses, use separate pages. Attach additional page(s) as necessary.

Address (Street Number Required- Estimate if no physical number exists)	City	State	Zip	County	Own or Rent

FIELDS (All outdoor growing locations. Each must be at least 0.25 acre in size.)

Location ID	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex. 84° 49.267'W</i>	Acres

GREENHOUSE / INDOOR GROWING

- ☐ Transplants only (either seeded or vegetative cuttings), or seasonal stock plants
- ☐ Stock plants, year round
- ☐ Year-round production with intent to harvest indoor plants

Location ID	Type of Structure <i>ex. Field, Greenhouse, Barn, etc</i>	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex. 84° 49.267'W</i>	Area - Square Feet

STORAGE LOCATIONS

Location ID	Type of Structure <i>ex. Field, Greenhouse, Barn, ect</i>	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex. 84° 49.267'W</i>	Area - Square Feet

48) Fourth address for locations. For separate addresses, use separate pages. Attach additional page(s) as necessary.

Address (Street Number Required- Estimate if no physical number exists)	City	State	Zip	County	Own or Rent

FIELDS (All outdoor growing locations. Each must be at least 0.25 acre in size.)

Location ID	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex. 84° 49.267'W</i>	Acres

GREENHOUSE / INDOOR GROWING

- ☐ Transplants only (either seeded or vegetative cuttings), or seasonal stock plants
- ☐ Stock plants, year round
- ☐ Year-round production with intent to harvest indoor plants

Location ID	Type of Structure <i>ex. Field, Greenhouse, Barn, etc</i>	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex. 84° 49.267'W</i>	Area - Square Feet

STORAGE LOCATIONS

Location ID	Type of Structure <i>ex. Field, Greenhouse, Barn, etc</i>	GPS: Latitude <i>Ex. 38° 9.919'N</i>	GPS: Longitude <i>Ex. 84° 49.267'W</i>	Area - Square Feet

49) **If any of your processing, handling, or storage locations are leased, please indicate whether you have authorization from the owner allowing hemp to be on the property.** KDA reserves the right to request a notarized letter of support from the property owner.

☐ Yes ☐ No ☐ Not Applicable **If Yes, complete the table below for leased locations:**

Leased Location Address	Name of Owner/Landlord	Phone Number of Owner/Landlord

Attachments

Check all attachments below that you are submitting with this application. In addition to those listed, attachments may include extended answers to any question in the application, a business plan, or other supporting documents. If the attachment is supplementary information to a question in this form, be sure to 1) include the question number on the document; and 2) start each new question attachment on a new page.

- ☐ REQUIRED: Service Charge Fee: Check or Money Order for \$200 made payable to Kentucky State Treasurer.
- ☐ REQUIRED: Copy of Driver's License for the applicant.
- ☐ REQUIRED: Background Check from KSP for the applicant and key participants for business entities.
- ☐ REQUIRED: Maps, one per address - Farm, greenhouse/indoor growing structures, and handling/storage location maps (including applicant name, site address, location IDs, and GPS coordinates).
- ☐ REQUIRED (ONLY for business entities if the applicant is not listed with the Kentucky Secretary of State's filing): *Signing Authority for Business Entities*.
- ☐ Other Attachment (describe): _____
- ☐ Other Attachment (describe): _____

I hereby verify and affirm that all of the information contained in this application is true and accurate. I understand that if KDA later determines any of this information to be inaccurate, the *Hemp Grower License* may be withheld or terminated.

Signature of Applicant

Date

Printed name

Title, if applicable

**Deadline: Applications must be postmarked no later than March 15, 2020,
or hand delivered no later than 4:30 PM ET on March 15, 2020.**

**Email submissions will not be accepted the Service Charge fee must be attached to the application.
KDA is not responsible for missing information due to formatting or printing errors on the user end.
KDA is not required to request additional information for clarity of the application.**

Mail completed application, the nonrefundable service charge fee, and all attachments to:
Kentucky Department of Agriculture
Hemp Licensing Program
111 Corporate Drive, Frankfort, KY 40601

For more information on the KDA Hemp Licensing Program,
please visit www.kyagr.com/hemp