

2023 Kansas Statutes

2-3902. Same; advisory board, establishment, membership; criminal history record checks of individuals overseeing or regulating industrial hemp. (a) The Kansas department of agriculture shall, by the adoption of rules and regulations, establish an advisory board within the department to provide input and information regarding the regulation and development of industrial hemp in the state of Kansas and any programs proposed or operated by the department. Such board shall include a minimum of six members, including members that represent the following:

- (1) The Kansas legislature;
- (2) crop research;
- (3) industrial hemp production or processing;
- (4) law enforcement;
- (5) seed certification; and
- (6) the state entity designated to regulate hemp processors.

(b) The state advisory board shall meet at least annually. Members shall receive no compensation but shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

(c) The secretary of agriculture may require, as a qualification for initial or continuing employment with the Kansas department of agriculture, all individuals overseeing or regulating industrial hemp to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints shall be used to identify the individual and to determine whether the individual has a record of criminal history in this state or any other jurisdiction. The department is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The department may use the information obtained from fingerprinting and the criminal history record check for purposes of verifying the identification of the individual and for making an official determination of the qualifications for initial or continuing employment pursuant to this section and rules and regulations promulgated hereunder. Disclosure or use of any information received by the department for any purpose other than the purposes provided for in this section shall be a class A misdemeanor and shall constitute grounds for removal from office or termination of employment.

(2) An individual who has been convicted of a felony violation of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or a substantially similar offense in another jurisdiction, within the immediately preceding 10 years, shall be disqualified from initial or continuing employment under this section.

(3) The Kansas bureau of investigation may charge a reasonable fee for conducting a criminal history record check.

(4) The individual seeking initial or continuing employment under this section shall pay the costs of fingerprinting and the state and national criminal history record checks.

History: L. 2018, ch. 62, § 2; L. 2019, ch. 37, § 8; L. 2022, ch. 69, § 24; July 1.