

TITLE 1: GOVERNMENT
DIVISION 2: EXECUTIVE BRANCH

§ 2733. Violations.

(a) In general - A violation of the regulations promulgated under this Sub-article shall be subject to enforcement solely in accordance with this section.

(b) Negligent violations:

(1) In general - A hemp producer shall be subject to subparagraph (2) of this paragraph if the Division of Agriculture determines that the hemp producer has negligently violated the regulations promulgated under § 2131(c), including by negligently:

(i) failing to provide a legal description of land on which the producer produces hemp;

(ii) failing to obtain a license or other required authorization from the Department Division of Agriculture; or

(iii) producing *Cannabis sativa* L. with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent on a dry weight basis.

(2) Corrective action plan - A hemp producer described in subparagraph (1) shall comply with a plan established by the Division of Agriculture, to correct the negligent violation, including:

(i) a reasonable date by which the hemp producer shall correct the negligent violation; and

(ii) a requirement that the hemp producer shall periodically report to the Division of Agriculture, as applicable, on the compliance of the hemp producer with the regulations for a period of not less than the next 2 calendar years.

(3) Result of negligent violation - Except as provided in subparagraph (4), a hemp producer that negligently violates the regulations under subparagraph (1) shall not be subject to any criminal or civil enforcement action other than the enforcement action authorized under subparagraph (2).

(4) Repeat violations - A hemp producer that negligently violates the regulations under (1) 3 times in a 5-year period shall be ineligible to produce hemp for a period of 5 years beginning on the date of the third violation.

(c) Other violations - Any person who willfully violates the regulations promulgated under this Sub-article shall be punishable by up to one (1) year imprisonment or a fine of up to \$2,500 or both.

(d) The Secretary of Finance shall establish a revolving account separate from the General Fund, in which 25% of the funds collected shall be deposited and used for enforcement operations for the Department of Land and Natural Resources.

Source: PL 21-25, § 3 (May 18, 2020), modified; amended by PL 21-43 § 4 (Feb. 5, 2021).

Commission Comment: In codifying PL 21-25, the Commission redesignated “(A),” “(B),” and “(C)” to (i), (ii), and (iii) in subsections (b)(1) and (b)(2) for the purpose of uniformity pursuant to 1 CMC § 3806(a). The Commission

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changed “Subpart” to “Sub-article” pursuant to 1 CMC § 3806(c), (g). See Commission comment to 1 CMC § 2730.

In codifying PL 21-43, the Commission renumbered this section pursuant to 1 CMC § 3806(a).