



General Assembly

Substitute Bill No. 6099

January Session, 2021



**AN ACT CONCERNING ANTITRUST ISSUES AND THE PALLIATIVE
USE OF MARIJUANA AND THE SALE OF HEMP AND HEMP
PRODUCTS.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2021*) (a) For purposes of this
2 section:

3 (1) "Material change" means: (A) The addition of a dispensary facility
4 backer or producer backer, (B) a change in the ownership interest of an
5 existing dispensary facility backer or producer backer, (C) the merger,
6 consolidation or other affiliation of a medical marijuana business with
7 another person, (D) the acquisition of all or part of a medical marijuana
8 business by another person, and (E) the transfer of assets or security
9 interests from a medical marijuana business to another person;

10 (2) "Medical marijuana business" means a medical marijuana
11 dispensary facility or production facility, licensed pursuant to chapter
12 420f of the general statutes and the regulations adopted under said
13 chapter;

14 (3) "Person" means an individual, firm, partnership, corporation,
15 company, association, trust or other business or tribal entity; and

16 (4) "Transfer" means to sell, transfer, lease, exchange, option, convey,
17 give or otherwise dispose of or transfer control over, including, but not
18 limited to, transfer by way of merger or joint venture not in the ordinary
19 course of business.

20 (b) No person shall, directly or indirectly, enter into a transaction that
21 results in a material change to a medical marijuana business, unless all
22 persons involved in the transaction file a written notification with the
23 Attorney General pursuant to subsection (c) of this section and the
24 waiting period described in subsection (d) of this section has expired.

25 (c) The written notice required under subsection (b) of this section
26 shall be in such form and contain such documentary material and
27 information relevant to the proposed transaction as the Attorney
28 General deems necessary and appropriate to enable the Attorney
29 General to determine whether such transaction, if consummated, would
30 violate antitrust laws.

31 (d) The waiting period required under subsection (b) of this section
32 shall begin on the date of the receipt by the office of the Attorney
33 General of the completed notification required under subsection (c) of
34 this section from all parties to the transaction and shall end on the
35 thirtieth day after the date of such receipt, unless such time is extended
36 pursuant to subsection (f) of this section.

37 (e) The Attorney General may, in individual cases, terminate the
38 waiting period specified in subsection (d) of this section and allow any
39 person to proceed with a transaction.

40 (f) The Attorney General may, prior to the expiration of the thirty-day
41 waiting period, require, pursuant to a subpoena or voluntarily, the
42 submission of additional information or documentary material relevant
43 to the proposed transaction from a person required to file notification
44 with respect to such transaction under subsection (b) of this section.
45 Upon request for additional information under this subsection, the
46 waiting period shall be extended until thirty days after the parties have

47 substantially complied, as determined solely by the Attorney General,
48 with such request for additional information.

49 (g) Any information or documentary material filed with the Attorney
50 General pursuant to this section shall not be disclosed pursuant to
51 subsection (c) of section 35-42 of the general statutes and, shall be
52 exempt from disclosure under the Freedom of Information Act, as
53 defined in section 1-200 of the general statutes, and no such information
54 or documentary material may be made public, except as may be relevant
55 to any administrative or judicial action or proceeding. Such information
56 or documentary material shall be returned to the person furnishing such
57 information or documentary material upon the termination of the
58 Attorney General's review or final determination of any action or
59 proceeding commenced thereunder.

60 Sec. 2. Section 22-61l of the general statutes is repealed and the
61 following is substituted in lieu thereof (*Effective July 1, 2021*):

62 (a) For the purpose of this section and section 22-61m, as amended by
63 this act, the following terms have the same meaning as provided in 7
64 CFR 990.1, as amended from time to time: "Acceptable hemp THC level",
65 "Agricultural marketing service", "Cannabis", "Conviction", "Corrective
66 action plan", "Culpable mental state greater than negligence",
67 "Decarboxylated", "Decarboxylation", "Dry weight basis", "Gas
68 chromatography", "Geospatial location", "Handle", "High-performance
69 liquid chromatography", "Information sharing system", "Measurement
70 of uncertainty", "Negligence", "Phytocannabinoid",
71 "Postdecarboxylation" and "Reverse distributor". In addition, for the
72 purpose of this section and section 22-61m, as amended by this act:

73 (1) "Cannabidiol" or "CBD" means the nonpsychotropic compound by
74 the same name;

75 (2) "Certificate of analysis" means a certificate from a laboratory
76 describing the results of the laboratory's testing of a sample;

77 (3) "Commissioner" means the Commissioner of Agriculture, or the

78 commissioner's designated agent;

79 (4) "Cultivate" means to plant, grow, harvest, handle and store a plant
80 or crop;

81 (5) "Federal act" means the United States Agricultural Marketing Act
82 of 1946, 7 USC 1639o et seq., as amended from time to time;

83 (6) "Department" means the Department of Agriculture;

84 (7) "Hemp" has the same meaning as provided in the federal act;

85 (8) "Hemp products" means all manufacturer hemp products and
86 producer hemp products;

87 (9) "Independent testing laboratory" means a facility:

88 (A) For which no person who has any direct or indirect financial or
89 managerial interest in the laboratory and also has any direct or indirect
90 interest in a facility that:

91 (i) Produces, distributes, manufactures or sells hemp or hemp
92 products, or marijuana in any state or territory of the United States; or

93 (ii) Cultivates, processes, distributes, dispenses or sells marijuana;
94 and

95 (B) That is accredited as a laboratory in compliance with section 21a-
96 408-59 of the regulations of Connecticut state agencies;

97 (10) "Laboratory" means a laboratory that meets the requirements of
98 7 CFR 990.3 and that is accredited as a testing laboratory to International
99 Organization for Standardization (ISO) 17025 by a third-party
100 accrediting body such as the American Association for Laboratory
101 Accreditation or the Assured Calibration and Laboratory Accreditation
102 Select Services;

103 (11) "Law enforcement agency" means the Connecticut State Police,

104 the United States Drug Enforcement Administration, the Department of
105 Agriculture, the Department of Consumer Protection Drug Control
106 Division or any other federal, state or local law enforcement agency or
107 drug suppression unit;

108 (12) "Licensee" means an individual or entity that possesses a license
109 to produce or manufacture hemp or hemp products in this state;

110 (13) "Manufacture" means the conversion of the hemp plant into a by-
111 product by means of adding heat, solvents or any method of extraction
112 that modifies the original composition of the plant for the purpose of
113 creating a manufacturer hemp product for commercial or research
114 purposes;

115 (14) "Manufacturer" means a person in the state licensed by the
116 Commissioner of Consumer Protection to manufacture, handle, store
117 and market manufacturer hemp products pursuant to the provisions of
118 section 22-61m, as amended by this act, and any regulation adopted
119 pursuant to section 22-61m, as amended by this act;

120 (15) "Marijuana" has the same meaning as provided in section 21a-
121 240;

122 (16) "Market" or "marketing" means promoting, distributing or
123 selling a hemp product within the state, in another state or outside of
124 the United States and includes efforts to advertise and gather
125 information about the needs or preferences of potential consumers or
126 suppliers;

127 (17) "On-site manager" means the individual designated by the
128 producer license applicant or producer responsible for on-site
129 management and operations of a licensed producer;

130 (18) "Pesticide" has the same meaning as "pesticide chemical" as
131 provided in section 21a-92;

132 (19) "Lot" means a contiguous area in a field, greenhouse or indoor

133 growing structure containing the same variety or strain of hemp
134 throughout the area;

135 (20) "Post-harvest sample" means a representative sample of the form
136 of hemp taken from the harvested hemp from a particular lot's harvest
137 that is collected in accordance with the procedures established by the
138 commissioner;

139 (21) "Pre-harvest sample" means a composite, representative portion
140 from plants in a hemp lot, that is collected in accordance with the
141 procedures established by the commissioner;

142 (22) "Produce" means to cultivate hemp or create any producer hemp
143 product;

144 (23) "State plan" means a state plan, as described in the federal act and
145 as authorized pursuant to this section;

146 (24) "THC" means delta-9-tetrahydrocannabinol;

147 (25) "Controlled Substances Act" or "CSA" means the Controlled
148 Substances Act as codified in 21 USC 801 et seq.;

149 (26) "Criminal history report" means the Federal Bureau of
150 Investigation's Identity History Summary;

151 (27) "Drug Enforcement Administration" or "DEA" means the United
152 States Drug Enforcement Administration;

153 (28) "Farm service agency" or "FSA" means an agency of the United
154 States Department of Agriculture;

155 (29) "Key participant" means a sole proprietor, a partner in
156 partnership or a person with executive managerial control in an entity,
157 including persons such as a chief executive officer, chief operating
158 officer and chief financial officer;

159 (30) "Manufacturer hemp product" means a commodity

160 manufactured from the hemp plant, for commercial or research
161 purposes, that is intended for human ingestion, inhalation, absorption
162 or other internal consumption, that contains a THC concentration of not
163 more than 0.3 per cent on a dry weight basis or per volume or weight of
164 such manufacturer hemp product;

165 (31) "Producer" means an individual or entity licensed by the
166 commissioner to produce and market producer hemp products
167 pursuant to the federal act, the state plan, the provisions of this section
168 and the regulations adopted pursuant to this section;

169 (32) "Producer hemp product" means any of the following produced
170 in this state: Raw hemp product, fiber-based hemp product or animal
171 hemp food product, and each of which contains a THC concentration of
172 not more than 0.3 per cent on a dry weight basis or per volume or weight
173 of such producer hemp product;

174 (33) "USDA" means the United States Department of Agriculture;

175 (34) "Entity" means a corporation, joint stock company, association,
176 limited partnership, limited liability partnership, limited liability
177 company, irrevocable trust, estate, charitable organization or other
178 similar organization, including any such organization participating in
179 the hemp production as a partner in a general partnership, a participant
180 in a joint venture or a participant in a similar organization; and

181 (35) "Homogenize" means to blend hemp into a mixture that has a
182 uniform quality and content throughout such mixture.

183 (b) The Commissioner of Agriculture shall establish and operate an
184 agricultural pilot program, as defined in 7 USC 5940, as amended from
185 time to time, for hemp research to enable the department, and its
186 licensees, to study methods of producing and marketing hemp. All
187 producer licensees licensed pursuant to this section shall be participants
188 in the state agricultural pilot program for hemp research. Until such
189 time as said commissioner adopts regulations, in accordance with the
190 provisions of chapter 54, the Department of Agriculture shall utilize

191 procedures and guidance policies that the commissioner deems to be
192 consistent with the provisions of 7 USC 5940, as amended from time to
193 time, provided such procedures and guidance policies shall, at a
194 minimum, require: (1) The commissioner to certify and register any site
195 used to grow hemp, (2) any person who produces hemp to produce
196 plants that meet the definition of hemp and verify such, (3) the
197 maintenance of records by any person who grows hemp and the
198 availability of inspection of such records by the commissioner, and (4)
199 verification of compliance with the definition of hemp by a laboratory,
200 at the expense of any licensee. The provisions of this section shall take
201 precedence over any such procedure or guidance policy. Participants in
202 the state agricultural pilot program for hemp research shall be licensed
203 in accordance with the provisions of this section. Such pilot program
204 shall operate until the earlier of the date of a fully approved state plan
205 under the federal act, as described in this section, or the date of repeal
206 of the federal law permitting the state's agricultural pilot program for
207 hemp research.

208 (c) (1) The commissioner shall prepare a state plan in accordance with
209 the federal act and 7 CFR 990.3, for approval by the Governor, in
210 consultation with the office of the Chief State's Attorney and the
211 Attorney General. The state plan, once approved by the Governor and
212 the Attorney General, shall be submitted by the commissioner to the
213 United States Secretary of Agriculture for his or her approval. The
214 commissioner shall have the authority to amend the state plan, in
215 consultation with the Governor, the Attorney General and the office of
216 the Chief State's Attorney, as necessary to comply with the federal act.

217 (2) The commissioner shall operate the state plan, which shall
218 include, at a minimum, the following requirements:

219 (A) The sampling of hemp shall comply, at a minimum, with 7 CFR
220 990.3(a)(2) and be performed by the commissioner, the commissioner's
221 designated agents, or an authorized sampling agent;

222 (B) The testing of hemp shall comply, at a minimum, with 7 CFR

223 990.3(a)(3);

224 (C) The control and disposal of noncompliant cannabis plants shall
225 comply with 7 CFR 990.27;

226 (D) The department shall comply with all recordkeeping and
227 reporting requirements in the federal act, and 7 CFR 990.1 to 7 CFR
228 990.71, inclusive;

229 (E) The department shall comply with enforcement procedures in 7
230 CFR 990.6;

231 (F) The department shall conduct annual inspections of, at a
232 minimum, a random sample of producers to verify that hemp is not
233 produced in violation of the federal act, the state plan and the provisions
234 of this section, and shall enforce any violation as provided for in the
235 federal act and as defined in 7 CFR 990.6;

236 (G) Producers shall report their required license, lot and hemp crop
237 acreage information to FSA, in accordance with the requirements in 7
238 CFR 990.7; and

239 (H) Producers shall report to the commissioner the total acreage of
240 hemp planted, harvested and, if applicable, disposed of, and such other
241 information as the commissioner may require.

242 (3) All sampling and testing of hemp shall be done using protocols
243 that are at least as statistically valid as the USDA's published protocols
244 for sampling and testing of hemp, which protocols shall be posted on
245 the department's Internet web site. During a scheduled sample
246 collection, the producer, or an authorized representative of the
247 producer, shall be present at the lot. A producer shall not harvest the
248 cannabis crop prior to the taking of samples. Samples of hemp plant
249 material from one lot shall not be commingled with hemp plant material
250 from other lots. Lots tested and not certified by a laboratory at or below
251 the acceptable hemp THC level shall be handled and disposed of in
252 accordance with the federal act, the provisions of this section and the

253 state plan, as applicable.

254 (4) The commissioner shall collect, maintain and provide to the
255 USDA, on a timely basis, and not less than once per month, license status
256 of each hemp producer, contact information for each hemp producer
257 licensed in the state, including lot legal descriptions and locations, and
258 any changes to such information. The commissioner shall also report to
259 the USDA, on a timely basis, and not less than once per month, all
260 required hemp test results and disposal information for all
261 nonconforming hemp plants and plant material. Such information shall
262 not include state and federal fingerprint-based records pursuant to
263 section 29-17a.

264 (d) The commissioner shall have the authority to enforce the federal
265 act, as amended from time to time, the state plan, this section and any
266 regulations adopted in accordance with the federal act and chapter 54
267 for hemp production in the state. The commissioner shall have the
268 authority to enforce the applicable standards for producer hemp
269 products. The commissioner may consult, collaborate and enter into
270 cooperative agreements with any federal or state agency, municipality
271 or political subdivision of the state concerning application of the
272 provisions of the federal act and the regulations adopted pursuant to the
273 federal act, as may be necessary to carry out the provisions of this
274 section.

275 (e) Any person who produces hemp shall: (1) Be licensed by the
276 commissioner; (2) comply with the federal act, the state plan, the
277 provisions of this section and any regulation adopted pursuant to this
278 section; and (3) transport hemp and hemp samples in a manner and with
279 such documentation as required by the commissioner.

280 (f) Any person who sells hemp products shall not be required to be
281 licensed provided such person only engages in: (1) The retail or
282 wholesale sale of hemp or hemp products in which no further
283 producing or manufacturing of the hemp products occurs and the hemp
284 products are acquired from a person authorized under the laws of this

285 state or another state, territory or possession of the United States or
286 another sovereign entity to possess and sell such hemp products; (2) the
287 acquisition of hemp or hemp products for the sole purpose of product
288 distribution for resale; or (3) the retail sale of hemp products that are
289 otherwise authorized under federal or state law.

290 (g) Any applicant for a license pursuant to this section shall meet each
291 of the following requirements, as applicable:

292 (1) Each applicant, whether an individual or an entity, shall submit
293 an application for a license that consists, at a minimum, of the following:

294 (A) The name, telephone number, electronic mail address, business
295 address and address of any individual who is the applicant, the full
296 name of any entity that is the applicant, including any applicable
297 principal business location and the full name, title and electronic mail
298 address of each key participant; (B) the name and address of each lot for
299 the hemp cultivation or producing location; (C) the geospatial location
300 of each lot by means of global positioning system coordinates and legal
301 description of each lot used for the hemp cultivation; (D) the acreage
302 size of each lot where the hemp will be cultivated; (E) written consent
303 allowing the commissioner to conduct both scheduled and random
304 inspections of and around the premises on which the hemp is to be
305 cultivated, harvested, stored and produced; and (F) any other
306 information as may be required by the commissioner;

307 (2) Each individual who is an applicant and each key participant of
308 any entity applying for a producer license, or renewal thereof, shall
309 submit to state and national fingerprint-based criminal history records
310 checks conducted in accordance with section 29-17a, at his or her own
311 expense. For the period commencing on the effective date of this section
312 and ending on December 31, 2021, the results of any such criminal
313 history records checks shall be provided by such applicants and key
314 participants to the commissioner for review;

315 (3) No individual, including any key participant of any entity, who
316 has been convicted of any felony, as prescribed in the federal act, shall

317 be eligible to obtain or hold a producer license, provided such restriction
318 shall not apply to any individual who lawfully grew hemp with a
319 license, registration or authorization under any state pilot program
320 authorized by section 7606 of the Agricultural Act of 2014 before
321 December 20, 2018. Any individual or entity that materially falsifies any
322 information in an application pursuant to this section shall be ineligible
323 to obtain a producer license; and

324 (4) Each individual or entity who is required by this section to obtain
325 a producer license shall pay for all costs of sampling, testing, retesting
326 and resampling any samples at a laboratory for the purpose of
327 determining the THC concentration level of any cannabis under their
328 control, or in their possession. Each individual or entity who is required
329 by this section to obtain a producer license shall pay for all costs of
330 disposal of all noncompliant cannabis plants under their control, or in
331 their possession.

332 (h) Any producer license issued by the commissioner shall expire on
333 the third following December thirty-first and may be renewed during
334 the preceding month of October. Such licenses shall not be transferable.

335 (i) The following fees shall apply for each producer license and
336 inspection:

337 (1) A nonrefundable license application fee of fifty dollars, provided
338 any constituent unit of higher education, state agency or department
339 shall be exempt from such application fee if such production is for
340 research purposes;

341 (2) A nonrefundable triennial producer license fee of four hundred
342 fifty dollars for up to one acre of planned hemp plantings and thirty
343 dollars per each additional acre of planned hemp plantings rounded to
344 the nearest acre, except no license fee charged shall exceed three
345 thousand dollars, provided any constituent unit of higher education,
346 state agency or department shall be exempt from such license fee if such
347 production is for research purposes; and

348 (3) In the event that resampling by the commissioner is required due
349 to a test result that shows a violation of any provision of this section or
350 any regulation adopted pursuant to this section, the licensee shall pay
351 an inspection fee of fifty dollars. Such fee shall be paid prior to the
352 inspection and collection of the sample to be used for resampling.

353 (j) After receipt and review of an application for producer licensure,
354 the commissioner may grant a triennial license upon a finding that the
355 applicant meets the applicable requirements. Each producer licensee
356 shall notify the commissioner of any changes to their application
357 information, not later than fifteen days after such change. While the
358 pilot program is in effect, the commissioner may grant a conditional
359 approval of a producer license, pending receipt of the criminal history
360 records check required by this section. The commissioner shall assign
361 each producer with a license or authorization identifier in a format
362 consistent with 7 CFR 990.3(a)(9).

363 (k) Whenever an inspection or investigation conducted by the
364 commissioner pursuant to this title reveals any violation of the state
365 plan, this section or any regulation adopted thereunder, the producer
366 license applicant or respondent, as applicable, shall be notified, in
367 writing, of such violation and any corrective action to be taken and the
368 time period within which such corrective action shall be taken. Any such
369 producer license applicant or respondent may request a hearing,
370 conducted in accordance with chapter 54, on any such notification. Any
371 notification issued pursuant to this section shall be made by certified
372 mail, return receipt requested to the producer license applicant or
373 respondent's last known address, by in-hand service by the
374 commissioner or designated agent of the commissioner, electronic mail
375 service with the consent of the recipient, or by service in accordance
376 with chapter 896. The commissioner shall report all producer violations
377 made with a culpable mental state greater than negligence to the United
378 States Attorney General and the State's Attorney for the judicial district
379 in which the producer violation occurred.

380 (l) Nothing in this section shall be construed to limit the

381 commissioner's authority to issue a cease and desist order pursuant to
382 section 22-4d, or an emergency order, in order to respond to a condition
383 that may present a public health hazard, or issue orders necessary to
384 effectuate the purposes of this section, including, but not limited to,
385 orders for the embargo, partial destruction, destruction and release of
386 hemp or hemp products. Any cease and desist order or an emergency
387 order shall become effective upon service of such order by the
388 commissioner. Following service of any such order, subsequent
389 proceedings shall proceed in accordance with the provisions of section
390 22-4d and the rules of practice for such agency. Any embargo, partial
391 destruction, destruction or release order issued pursuant to this section
392 shall be served by certified mail, return receipt requested to the
393 respondent's last known address, by in-hand service by the
394 commissioner or designated agent of the commissioner, or by service in
395 accordance with chapter 896.

396 (m) Following a hearing conducted in accordance with chapter 54,
397 the commissioner may impose an administrative civil penalty, not to
398 exceed two thousand five hundred dollars per violation, and suspend,
399 revoke or place conditions upon any producer licensee who violates the
400 provisions of this section or any regulation adopted pursuant to this
401 section.

402 (n) (1) Any individual who produces hemp in this state without
403 obtaining a license pursuant to this section, or who produces hemp in
404 this state after having a license suspended or revoked shall have
405 committed an infraction.

406 (2) Any entity that produces hemp in this state without obtaining a
407 license pursuant to this section, produces hemp in violation of this
408 section or produces hemp in this state after having a license suspended
409 or revoked may be fined not more than two thousand five hundred
410 dollars per violation, after a hearing conducted in accordance with
411 chapter 54.

412 (o) (1) Any negligent violation, as described in the federal act, of this

413 section or the state plan shall be subject to enforcement in accordance
414 with the federal act, and the state plan for negligent violations.

415 (2) For any negligent violation, a producer shall be required to correct
416 such negligent violation, by means of a corrective action plan approved
417 by the commissioner. Each corrective action plan shall include, at a
418 minimum, a reasonable completion deadline for correction of the
419 negligent violation, periodic reporting to the commissioner for at least
420 two years and compliance with the state plan.

421 (3) Any producer that negligently violates the state plan shall not, as
422 a result of such negligent violation, be referred by the commissioner for
423 any criminal enforcement action by the federal, state or local
424 government.

425 (4) Any producer that negligently violates the state plan three times
426 during any five-year period shall be ineligible to produce hemp for a
427 period of five years beginning on the date of the third violation.

428 (5) The commissioner shall conduct an inspection to determine if the
429 corrective action plan for a producer who commits any such negligent
430 violation was properly implemented.

431 (p) Any person aggrieved by an order issued pursuant to this section
432 may appeal to the commissioner in accordance with the provisions of
433 chapter 54. Such appeal shall be made in writing to the commissioner
434 and received not later than fifteen days after the date of the order. If no
435 appeal is made pursuant to this subsection the order shall be final.

436 (q) (1) All documents submitted under this section shall be subject to
437 disclosure in accordance with chapter 14, except: (A) Information
438 depicting or describing (i) the test results of any producer, (ii) the
439 location of any hemp growing, harvesting, processing or storage
440 location, or (iii) hemp producer location security schematics; and (B) the
441 results of any criminal history records check.

442 (2) Notwithstanding the provisions of subdivision (1) of this

443 subsection, all documents and records submitted or maintained
444 pursuant to this section shall be disclosed to any law enforcement
445 agency upon request of such law enforcement agency.

446 (r) The commissioner may inspect and shall have access to the
447 buildings, equipment, supplies, vehicles, records, real property and
448 other information that the commissioner deems necessary to carry out
449 the commissioner's duties pursuant to this section from any person
450 participating in producing, handling, storing marketing or researching
451 hemp.

452 [(s) Nothing in this section shall be construed to apply to any licensee
453 of palliative marijuana authorized pursuant to chapter 420f.]

454 [(t)] (s) All licensees pursuant to this section shall maintain records
455 required by the federal act, the state plan, this section and any regulation
456 adopted pursuant to this section. Each licensee shall make such records
457 available to the department immediately upon request of the
458 commissioner and in electronic format, if available.

459 [(u)] (t) The commissioner may adopt regulations, in accordance with
460 the provisions of chapter 54, to implement the provisions of this section
461 including, but not limited to, the labeling of producer hemp products.

462 [(v)] (u) Notwithstanding any provision of the general statutes: (1)
463 Marijuana does not include hemp or hemp products; (2) THC that does
464 not exceed 0.3 per cent by dry weight and that is found in hemp shall
465 not be considered to be THC that constitutes a controlled substance; (3)
466 hemp-derived cannabidiols, including CBD, shall not constitute
467 controlled substances or adulterants solely on the basis of containing
468 CBD; and (4) hemp products that contain one or more hemp-derived
469 cannabidiols, such as CBD, intended for ingestion shall be considered
470 foods, not controlled substances or adulterated products solely on the
471 basis of the containing hemp-derived cannabidiols.

472 [(w)] (v) Whenever the commissioner believes or has reasonable
473 cause to believe that the actions of a licensee or any employee of a

474 producer licensee are in violation of the federal act, the state plan, or any
475 state law concerning the growing, cultivation, handling, transporting or
476 possession of marijuana, the commissioner shall notify the Department
477 of Emergency Services and Public Protection and the State Police.

478 Sec. 3. Subsection (g) of section 22-61m of the general statutes is
479 repealed and the following is substituted in lieu thereof (*Effective July 1,*
480 *2021*):

481 (g) Nothing in this [section shall be construed to apply to any licensee
482 of palliative marijuana authorized pursuant to chapter 420f] chapter or
483 any regulations adopted pursuant to this chapter shall be construed to
484 apply to persons licensed pursuant to section 21a-408i nor to require
485 persons licensed pursuant to said section to obtain a license pursuant to
486 this chapter.

487 Sec. 4. Subsection (k) of section 22-61m of the general statutes is
488 repealed and the following is substituted in lieu thereof (*Effective July 1,*
489 *2021*):

490 (k) Any hemp intended to be manufactured into a manufacturer
491 hemp product shall be tested by an independent testing laboratory
492 located in this state. A manufacturer licensee shall make available
493 samples, in an amount and type determined by the Commissioner of
494 Consumer Protection, of hemp for an independent testing laboratory
495 employee to select random samples. The independent testing laboratory
496 shall test each sample for microbiological contaminants, mycotoxins,
497 heavy metals and pesticide chemical residue, and for purposes of
498 conducting an active ingredient analysis, if applicable, as determined by
499 the Commissioner of Consumer Protection.

500 Sec. 5. (NEW) (*Effective July 1, 2021*) (a) Marijuana producers, licensed
501 under any provision of the general statutes, shall manufacture, market,
502 produce or store hemp and hemp products, as such terms are defined in
503 section 22-61l of the general statutes, as amended by this act, in
504 accordance with the provisions of chapter 424 of the general statutes and

505 any regulations adopted under said chapter, except that marijuana
506 producers may obtain hemp and hemp products from a person
507 authorized under the laws of this state or another state, territory or
508 possession of the United States or another sovereign entity to possess
509 and sell such hemp and hemp products.

510 (b) Hemp or hemp products purchased by marijuana producers from
511 third parties shall be tracked as a separate batch throughout the
512 manufacturing process in order to document the disposition of such
513 hemp or hemp products. Once hemp or hemp products are received by
514 a marijuana producer, such hemp or hemp products shall be deemed
515 marijuana and shall comply with the requirements for marijuana
516 contained in the applicable provisions of the general statutes and any
517 regulations adopted under such provisions. Marijuana producers shall
518 retain a copy of the certificate of analysis for hemp or hemp products
519 purchased and invoice and transport documents that evidence the
520 quantity purchased and date received.

521 (c) No hemp or hemp products shall be sold or distributed within a
522 dispensary facility, as defined in section 21a-408-1 of the regulations of
523 Connecticut state agencies.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	New section
Sec. 2	July 1, 2021	22-61l
Sec. 3	July 1, 2021	22-61m(g)
Sec. 4	July 1, 2021	22-61m(k)
Sec. 5	July 1, 2021	New section

GL Joint Favorable Subst.

ENV Joint Favorable