



Offered by:
SEN. SOMERS, 18th Dist.

To: Senate Bill No. 1118

File No.

Cal. No.

**"AN ACT CONCERNING RESPONSIBLE AND EQUITABLE
REGULATION OF ADULT-USE CANNABIS."**

1 Strike section 32 in its entirety and insert the following in lieu thereof:

2 "Sec. 32. (NEW) (*Effective from passage*) (a) No cannabis establishment
3 may produce or sell an edible cannabis product that resembles candy in
4 any form.

5 (b) The commissioner shall adopt regulations in accordance with
6 chapter 54 of the general statutes to implement the provisions of
7 RERACA. Notwithstanding the requirements of sections 4-168 to 4-172,
8 inclusive, of the general statutes, in order to effectuate the purposes of
9 RERACA and protect public health and safety, prior to adopting such
10 regulations the commissioner shall issue policies and procedures to
11 implement the provisions of RERACA that shall have the force and
12 effect of law. The commissioner shall post all policies and procedures
13 on the department's Internet web site and submit such policies and
14 procedures to the Secretary of the State for posting on the eRegulations
15 System, at least fifteen days prior to the effective date of any policy or
16 procedure. Any such policy or procedure shall no longer be effective
17 upon the earlier of either the adoption of the policy or procedure as a
18 final regulation under section 4-172 of the general statutes or forty-eight

19 months from the effective date of this section, if such regulations have
20 not been submitted to the legislative regulation review committee for
21 consideration under section 4-170 of the general statutes. The
22 commissioner shall issue policies and procedures and thereafter final
23 regulations that include, but are not limited to, the following:

24 (1) Setting appropriate dosage, potency, concentration and serving
25 size limits and delineation requirements for cannabis, provided a
26 standardized serving of edible cannabis product or beverage, other than
27 a medical marijuana product, shall contain not more than five
28 milligrams of THC;

29 (2) Requiring that each single standardized serving of cannabis
30 product in a multiple-serving edible product or beverage is physically
31 demarked in a way that enables a reasonable person to determine how
32 much of the product constitutes a single serving and a maximum
33 amount of THC per multiple-serving edible cannabis product or
34 beverage;

35 (3) Requiring that, if it is impracticable to clearly demark every
36 standardized serving of cannabis product or to make each standardized
37 serving easily separable in an edible cannabis product or beverage, the
38 product, other than cannabis concentrate or medical marijuana product,
39 shall contain not more than five milligrams of THC per unit of sale;

40 (4) Establishing, in consultation with the Department of Mental
41 Health and Addiction Services, consumer health materials that shall be
42 posted or distributed, as specified by the commissioner, by cannabis
43 establishments to maximize dissemination to cannabis consumers.
44 Consumer health materials may include pamphlets, packaging inserts,
45 signage, online and printed advertisements and advisories and printed
46 health materials;

47 (5) Imposing labeling and packaging requirements for cannabis sold
48 by a cannabis establishment that include, but are not limited to, the
49 following:

50 (A) A universal symbol to indicate that cannabis or a cannabis
51 product contains cannabis, and prescribe how such product and
52 product packaging shall utilize and exhibit such symbol;

53 (B) A disclosure concerning the length of time it typically takes for
54 the cannabis to affect an individual, including that certain forms of
55 cannabis take longer to have an effect;

56 (C) A notation of the amount of cannabis the cannabis product is
57 considered the equivalent to;

58 (D) A list of ingredients and all additives for cannabis;

59 (E) Child-resistant packaging including requiring that an edible
60 product be individually wrapped;

61 (F) Product tracking information sufficient to determine where and
62 when the cannabis was grown and manufactured such that a product
63 recall could be effectuated;

64 (G) A net weight statement;

65 (H) A recommended use by or expiration date; and

66 (I) Standard and uniform packaging and labeling, including, but not
67 limited to, (i) requirements regarding branding or logos, and (ii)
68 requirements that all packaging is opaque;

69 (6) Establishing laboratory testing standards;

70 (7) Restricting forms of cannabis products and cannabis product
71 delivery systems to ensure consumer safety and deter public health
72 concerns;

73 (8) Prohibiting certain manufacturing methods, or inclusion of
74 additives to cannabis products, including, but not limited to, (A) added
75 flavoring, terpenes or other additives unless approved by the
76 department, or (B) any form of nicotine or other additive containing
77 nicotine;

78 (9) Prohibiting cannabis product types that appeal to children,
79 including, but not limited to, edible cannabis products that resemble
80 candy;

81 (10) Establishing physical and cyber security requirements related to
82 build out, monitoring and protocols for cannabis establishments as a
83 requirement for licensure;

84 (11) Placing temporary limits on the sale of cannabis in the adult-use
85 market, if deemed appropriate and necessary by the commissioner, in
86 response to a shortage of cannabis for qualifying patients;

87 (12) Requiring retailers and hybrid retailers to make best efforts to
88 provide access to (A) low-dose THC products, including products that
89 have one milligram and two and a half milligrams of THC per dose, and
90 (B) high-dose CBD products;

91 (13) Requiring producers, cultivators, micro-cultivators, product
92 manufacturers and food and beverage manufacturers to register brand
93 names for cannabis, in accordance with the policies and procedures and
94 subject to the fee set forth in, regulations adopted under chapter 420f of
95 the general statutes;

96 (14) Prohibiting a cannabis establishment from selling (A) cannabis
97 flower or other cannabis plant material with a total THC concentration
98 greater than thirty per cent on a dry-weight basis, and (B) any cannabis
99 product other than cannabis flower and cannabis plant material with a
100 total THC concentration greater than sixty per cent on a dry-weight
101 basis, except that the provisions of subparagraph (B) of this subdivision
102 shall not apply to the sale of prefilled cartridges for use in an electronic
103 cannabis delivery system, as defined in section 19a-342a of the general
104 statutes and the department may adjust the percentages set forth in
105 subparagraph (A) or (B) of this subdivision in regulations adopted
106 pursuant to this section for purposes of public health or to address
107 market access or shortage. As used in this subdivision, "total THC" has
108 the same meaning as provided in section 21a-240 of the general statutes
109 and "cannabis plant material" means material from the cannabis plant,

110 as defined in section 21a-279a of the general statutes; and
111 (15) Permitting the outdoor cultivation of cannabis."