



House of Representatives

General Assembly

File No. 201

January Session, 2023

Substitute House Bill No. 6699

House of Representatives, March 23, 2023

The Committee on General Law reported through REP. D'AGOSTINO of the 91st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING CANNABIS REGULATION.

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

1 Section 1. Section 21a-420 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 As used in RERACA, unless the context otherwise requires:

4 (1) "Responsible and Equitable Regulation of Adult-Use Cannabis
5 Act" or "RERACA" means this section, sections 2-56j, 7-294kk, 7-294ll,
6 12-330ll to 12-330nn, inclusive, 14-227p, 21a-278b, as amended by this
7 act, 21a-278c, 21a-279c, 21a-279d, 21a-420a to [21a-420i] 21a-420j,
8 inclusive, as amended by this act, 21a-420l to 21a-421r, inclusive, 21a-
9 421aa to 21a-421ff, inclusive, 21a-421aaa to [21a-421ggg] 21a-421hhh,
10 inclusive, 21a-422 to 21a-422c, inclusive, 21a-422e to 21a-422g, inclusive,
11 21a-422j to 21a-422s, inclusive, 22-61n, 23-4b, 47a-9a, 53-247a, 53a-213a,
12 53a-213b, 54-33p, 54-56q, 54-56r, 54-125k and 54-142u, sections 23, 60, 63
13 to 65, inclusive, 124, 144 and 165 of public act 21-1 of the June special
14 session, and the amendments in public act 21-1 of the June special

15 session to sections 7-148, 10-221, 12-30a, 12-35b, 12-412, 12-650, 12-704d,
16 14-44k, 14-111e, 14-227a to 14-227c, inclusive, 14-227j, 15-140q, 15-140r,
17 18-100h, 19a-342, 19a-342a, 21a-267, 21a-277, 21a-279, 21a-279a, 21a-408
18 to 21a-408f, inclusive, 21a-408h to 21a-408p, inclusive, 21a-408r to 21a-
19 408v, inclusive, 30-89a, 31-40q, 32-39, 46b-120, 51-164n, 53-394, 53a-39c,
20 54-1m, 54-33g, 54-41b, 54-56e, 54-56g, 54-56i, 54-56k, 54-56n, 54-63d, 54-
21 66a [,] and 54-142e, [21a-421hhh and 21a-420j] and section 2 of this act;

22 (2) "Backer" means any individual with a direct or indirect financial
23 interest in a cannabis establishment. "Backer" does not include an
24 individual with an investment interest in a cannabis establishment if (A)
25 the interest held by such individual and such individual's spouse,
26 parent or child, in the aggregate, does not exceed five per cent of the
27 total ownership or interest rights in such cannabis establishment, and
28 (B) such individual does not participate directly or indirectly in the
29 control, management or operation of the cannabis establishment;

30 (3) "Cannabis" means marijuana, as defined in section 21a-240;

31 (4) "Cannabis establishment" means a producer, dispensary facility,
32 cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage
33 manufacturer, product manufacturer, product packager, delivery
34 service or transporter;

35 (5) "Cannabis flower" means the flower, including abnormal and
36 immature flowers, of a plant of the genus cannabis that has been
37 harvested, dried, [and] cured, chopped or ground, and prior to any
38 processing whereby the flower material is transformed into a cannabis
39 product. "Cannabis flower" does not include (A) the leaves or stem of
40 such plant, or (B) hemp, as defined in section 22-61l;

41 (6) "Cannabis trim" means all parts, including abnormal or immature
42 parts, of a plant of the genus cannabis, other than cannabis flower, that
43 have been harvested, dried and cured, and prior to any processing
44 whereby the plant material is transformed into a cannabis product.
45 "Cannabis trim" does not include hemp, as defined in section 22-61l;

46 (7) "Cannabis product" means cannabis, intended for use or
47 consumption, that is in the form of (A) a cannabis concentrate, or (B) a
48 product that contains cannabis [, which may be combined with other
49 ingredients, and is intended for use or consumption] and at least one
50 other ingredient. "Cannabis product" does not include [the raw cannabis
51 plant] cannabis flower;

52 (8) "Cannabis concentrate" means any form of concentration,
53 including, but not limited to, extracts, oils, tinctures, shatter and waxes,
54 that is extracted from cannabis;

55 (9) "Cannabis-type substances" have the same meaning as
56 "marijuana", as defined in section 21a-240;

57 (10) "Commissioner" means the Commissioner of Consumer
58 Protection and includes any designee of the commissioner;

59 (11) "Consumer" means an individual who is twenty-one years of age
60 or older;

61 (12) "Cultivation" has the same meaning as provided in section 21a-
62 408;

63 (13) "Cultivator" means a person that is licensed to engage in the
64 cultivation, growing and propagation of the cannabis plant at an
65 establishment with not less than fifteen thousand square feet of grow
66 space;

67 (14) "Delivery service" means a person that is licensed to deliver
68 cannabis from (A) micro-cultivators, retailers and hybrid retailers to
69 consumers and research program subjects, and (B) hybrid retailers and
70 dispensary facilities to qualifying patients, caregivers and research
71 program subjects, as defined in section 21a-408, or to hospices or other
72 inpatient care facilities licensed by the Department of Public Health
73 pursuant to chapter 368v that have a protocol for the handling and
74 distribution of cannabis that has been approved by the department, or a
75 combination thereof;

76 (15) "Department" means the Department of Consumer Protection;

77 (16) "Dispensary facility" means a place of business where cannabis
78 may be dispensed, sold or distributed in accordance with chapter 420f
79 and any regulations adopted [thereunder] pursuant to said chapter, to
80 qualifying patients and caregivers, and to which the department has
81 issued a dispensary facility license [under] pursuant to chapter 420f and
82 any regulations adopted [thereunder] pursuant to said chapter;

83 (17) "Disproportionately impacted area" means a United States
84 census tract in the state that has, as determined by the Social Equity
85 Council under section 21a-420d, as amended by this act, (A) a historical
86 conviction rate for drug-related offenses greater than one-tenth, or (B)
87 an unemployment rate greater than ten per cent;

88 (18) "Disqualifying conviction" means a conviction within the last ten
89 years which has not been the subject of an absolute pardon under the
90 provisions of section 54-130a, or an equivalent pardon process under the
91 laws of another state or the federal government, for an offense under (A)
92 section 53a-276, 53a-277 or 53a-278; (B) section 53a-291, 53a-292 or 53a-
93 293; (C) section 53a-215; (D) section 53a-138 or 53a-139; (E) section 53a-
94 142a; (F) sections 53a-147 to 53a-162, inclusive; (G) sections 53a-125c to
95 53a-125f, inclusive; (H) section 53a-129b, 53a-129c or 53a-129d; (I)
96 subsection (b) of section 12-737; (J) section 53a-48 or 53a-49, if the offense
97 which is attempted or is an object of the conspiracy is an offense under
98 the statutes listed in subparagraphs (A) to (I), inclusive, of this
99 subdivision; or (K) the law of any other state or of the federal
100 government, if the offense on which such conviction is based is defined
101 by elements that substantially include the elements of an offense under
102 the statutes listed in subparagraphs (A) to (J), inclusive, of this
103 subdivision;

104 (19) "Dispensary technician" means an individual who has had an
105 active pharmacy technician or dispensary technician registration in this
106 state within the past five years, is affiliated with a dispensary facility or
107 hybrid retailer and is registered with the department in accordance with
108 chapter 420f and any regulations adopted [thereunder] pursuant to said

109 chapter;

110 (20) "Edible cannabis product" means a cannabis product, including,
111 but not limited to, a liquid, which may be combined with other
112 ingredients and is intended for human consumption, but does not
113 include raw cannabis plant material;

114 ~~[(20)]~~ (21) "Employee" means any person who is not a backer, but is a
115 member of the board of a company with an ownership interest in a
116 cannabis establishment, and any person employed by a cannabis
117 establishment or who otherwise has access to such establishment or the
118 vehicles used to transport cannabis, including, but not limited to, an
119 independent contractor who has routine access to the premises of such
120 establishment or to the cannabis handled by such establishment;

121 ~~[(21)]~~ (22) "Equity" and "equitable" means efforts, regulations,
122 policies, programs, standards, processes and any other functions of
123 government or principles of law and governance intended to: (A)
124 Identify and remedy past and present patterns of discrimination and
125 disparities of race, ethnicity, gender and sexual orientation; (B) ensure
126 that such patterns of discrimination and disparities, whether intentional
127 or unintentional, are neither reinforced nor perpetuated; and (C)
128 prevent the emergence and persistence of foreseeable future patterns of
129 discrimination or disparities of race, ethnicity, gender and sexual
130 orientation;

131 ~~[(22)]~~ (23) "Equity joint venture" means a business entity that is at
132 least fifty per cent owned and controlled by an individual or
133 individuals, or such applicant is an individual, who meets the criteria of
134 subparagraphs (A) and (B) of subdivision ~~[(48)]~~ (49) of this section;

135 ~~[(23)]~~ (24) "Extract" means the preparation, compounding, conversion
136 or processing of cannabis, either directly or indirectly by extraction or
137 independently by means of chemical synthesis, or by a combination of
138 extraction and chemical synthesis to produce a cannabis concentrate;

139 ~~[(24)]~~ (25) "Financial interest" means any right to, ownership, an

140 investment or a compensation arrangement with another person,
141 directly, through business, investment or family. "Financial interest"
142 does not include ownership of investment securities in a publicly-held
143 corporation that is traded on a national exchange or over-the-counter
144 market, provided the investment securities held by such person and
145 such person's spouse, parent or child, in the aggregate, do not exceed
146 one-half of one per cent of the total number of shares issued by the
147 corporation;

148 [(25)] (26) "Food and beverage manufacturer" means a person that is
149 licensed to own and operate a place of business that acquires cannabis
150 and creates food and beverages;

151 [(26)] (27) "Grow space" means the portion of a premises owned and
152 controlled by a producer, cultivator or micro-cultivator that is utilized
153 for the cultivation, growing or propagation of the cannabis plant, and
154 contains cannabis plants in an active stage of growth, measured starting
155 from the outermost wall of the room containing cannabis plants and
156 continuing around the outside of the room. "Grow space" does not
157 include space used to cure, process, store harvested cannabis or
158 manufacture cannabis once the cannabis has been harvested;

159 [(27)] (28) "Historical conviction count for drug-related offenses"
160 means, for a given area, the number of convictions of residents of such
161 area (A) for violations of sections 21a-267, 21a-277, 21a-278, 21a-279 and
162 21a-279a, and (B) who were arrested for such violations between
163 January 1, 1982, and December 31, 2020, inclusive, where such arrest
164 was recorded in databases maintained by the Department of Emergency
165 Services and Public Protection;

166 [(28)] (29) "Historical conviction rate for drug-related offenses"
167 means, for a given area, the historical conviction count for drug-related
168 offenses divided by the population of such area, as determined by the
169 five-year estimates of the most recent American Community Survey
170 conducted by the United States Census Bureau;

171 [(29)] (30) "Hybrid retailer" means a person that is licensed to

172 purchase cannabis and sell cannabis and medical marijuana products;

173 [(30)] (31) "Key employee" means an employee with the following
174 management position or an equivalent title within a cannabis
175 establishment: (A) President or chief officer, who is the top ranking
176 individual at the cannabis establishment and is responsible for all staff
177 and overall direction of business operations; (B) financial manager, who
178 is the individual who reports to the president or chief officer and who is
179 generally responsible for oversight of the financial operations of the
180 cannabis establishment, including, but not limited to, revenue
181 generation, distributions, tax compliance and budget implementation;
182 or (C) compliance manager, who is the individual who reports to the
183 president or chief officer and who is generally responsible for ensuring
184 the cannabis establishment complies with all laws, regulations and
185 requirements related to the operation of the cannabis establishment;

186 [(31)] (32) "Laboratory" means a laboratory located in the state that is
187 licensed by the department to provide analysis of cannabis that meets
188 the licensure requirements set forth in section 21a-246;

189 [(32)] (33) "Laboratory employee" means an individual who is
190 registered as a laboratory employee pursuant to section 21a-408r;

191 [(33)] (34) "Labor peace agreement" means an agreement between a
192 cannabis establishment and a bona fide labor organization under section
193 21a-421d, as amended by this act, pursuant to which the owners and
194 management of the cannabis establishment agree not to lock out
195 employees and that prohibits the bona fide labor organization from
196 engaging in picketing, work stoppages or boycotts against the cannabis
197 establishment;

198 [(34)] (35) "Manufacture" means to add or incorporate cannabis into
199 other products or ingredients or create a cannabis product;

200 [(35)] (36) "Medical marijuana product" means cannabis that may be
201 exclusively sold to qualifying patients and caregivers by dispensary
202 facilities and hybrid retailers and which are designated by the

203 commissioner as reserved for sale to qualifying patients and caregivers
204 and published on the department's Internet web site;

205 [(36)] (37) "Micro-cultivator" means a person licensed to engage in the
206 cultivation, growing and propagation of the cannabis plant at an
207 establishment containing not less than two thousand square feet and not
208 more than ten thousand square feet of grow space, prior to any
209 expansion authorized by the commissioner;

210 [(37)] (38) "Municipality" means any town, city or borough,
211 consolidated town and city or consolidated town and borough;

212 [(38)] (39) "Paraphernalia" means drug paraphernalia, as defined in
213 section 21a-240;

214 [(39)] (40) "Person" means an individual, partnership, limited liability
215 company, society, association, joint stock company, corporation, estate,
216 receiver, trustee, assignee, referee or any other legal entity and any other
217 person acting in a fiduciary or representative capacity, whether
218 appointed by a court or otherwise, and any combination thereof;

219 [(40)] (41) "Producer" means a person that is licensed as a producer
220 pursuant to section 21a-408i and any regulations adopted [thereunder]
221 pursuant to said section;

222 [(41)] (42) "Product manufacturer" means a person that is licensed to
223 obtain cannabis, extract and manufacture products exclusive to such
224 license type;

225 [(42)] (43) "Product packager" means a person that is licensed to
226 package and label cannabis;

227 [(43)] (44) "Qualifying patient" has the same meaning as provided in
228 section 21a-408;

229 [(44)] (45) "Research program" has the same meaning as provided in
230 section 21a-408;

231 [(45)] (46) "Retailer" means a person, excluding a dispensary facility

232 and hybrid retailer, that is licensed to purchase cannabis from
233 producers, cultivators, micro-cultivators, product manufacturers and
234 food and beverage manufacturers and to sell cannabis to consumers and
235 research programs;

236 [(46)] (47) "Sale" or "sell" has the same meaning as provided in section
237 21a-240;

238 [(47)] (48) "Social Equity Council" or "council" means the council
239 established under section 21a-420d, as amended by this act;

240 [(48)] (49) "Social equity applicant" means a person that has applied
241 for a license for a cannabis establishment, where such applicant is at
242 least sixty-five per cent owned and controlled by an individual or
243 individuals, or such applicant is an individual, who:

244 (A) Had an average household income of less than three hundred per
245 cent of the state median household income over the three tax years
246 immediately preceding such individual's application; and

247 (B) (i) Was a resident of a disproportionately impacted area for not
248 less than five of the ten years immediately preceding the date of such
249 application; or

250 (ii) Was a resident of a disproportionately impacted area for not less
251 than nine years prior to attaining the age of eighteen;

252 [(49)] (50) "THC" has the same meaning as provided in section 21a-
253 240;

254 [(50)] (51) "Third-party lottery operator" means a person, or a
255 constituent unit of the state system of higher education, that conducts
256 lotteries pursuant to section 21a-420g, identifies the cannabis
257 establishment license applications for consideration without
258 performing any review of the applications that are identified for
259 consideration, and that has no direct or indirect oversight of or
260 investment in a cannabis establishment or a cannabis establishment
261 applicant;

262 [(51)] (52) "Transfer" means to transfer, change, give or otherwise
263 dispose of control over or interest in;

264 [(52)] (53) "Transport" means to physically move from one place to
265 another;

266 [(53)] (54) "Transporter" means a person licensed to transport
267 cannabis between cannabis establishments, laboratories and research
268 programs; and

269 [(54)] (55) "Unemployment rate" means, in a given area, the number
270 of people sixteen years of age or older who are in the civilian labor force
271 and unemployed divided by the number of people sixteen years of age
272 or older who are in the civilian labor force.

273 Sec. 2. (NEW) (*Effective July 1, 2023*) (a) On and after July 1, 2023, the
274 department may issue an off-site event permit to a retailer or hybrid
275 retailer. Such permit shall authorize the retailer or hybrid retailer to sell
276 cannabis, other than medical marijuana products, to consumers at an
277 event held in this state at a location other than such retailer's or hybrid
278 retailer's premises. Each permit issued by the department pursuant to
279 this section shall be nonrenewable, and shall be effective for a period of
280 time not to exceed three consecutive days. No retailer or hybrid retailer
281 shall receive more than four off-site event permits during any calendar
282 year. No retailer or hybrid retailer may engage in or operate more than
283 one off-site event on any day. No retailer or hybrid retailer may sell
284 cannabis in the manner described in this subsection unless such retailer
285 or hybrid retailer has obtained a permit from the department pursuant
286 to this section.

287 (b) Each retailer or hybrid retailer seeking a permit under this section
288 shall attest and affirm that such retailer or hybrid retailer has received,
289 or will receive, all municipal approvals required to engage in off-site
290 event sales prior to engaging in such sales, and that the off-site event is
291 not located in a municipality that has prohibited off-site sales of
292 cannabis pursuant to subsection (f) of this section, the establishment of
293 a cannabis establishment pursuant to subsection (b) of section 21a-422f

294 of the general statutes or the sale of cannabis pursuant to subsection (a)
295 of section 21a-422g of the general statutes. The department shall,
296 without further proceedings, immediately and summarily revoke any
297 permit issued pursuant to this section if the retailer or hybrid retailer
298 engages in off-site event sales without having first obtained all required
299 municipal approvals, and such retailer or hybrid retailer shall be
300 prohibited from applying for an off-site event permit for a period of one
301 year from the date of such revocation.

302 (c) Prior to submitting an application pursuant to subsection (d) of
303 this section, a retailer or hybrid retailer shall establish written policies,
304 specific to off-site events, for the purpose of preventing (1) diversion and
305 misuse of cannabis, and (2) cannabis sales to underage persons.

306 (d) Each retailer or hybrid retailer seeking a permit under this section
307 shall submit an application to the department in a form and manner
308 prescribed by the commissioner. Such application shall include:

309 (1) The retailer or hybrid retailer's name and address as they appear
310 on the license such retailer or hybrid retailer most recently obtained
311 from the department pursuant to section 21a-420r of the general
312 statutes, as amended by this act, or 21a-420s of the general statutes, as
313 amended by this act, as applicable;

314 (2) The attestation and affirmation required under subsection (b) of
315 this section;

316 (3) For the off-site event that is the subject of such application:

317 (A) The name and address of the person organizing such event;

318 (B) The date, time and location of such event; and

319 (C) A statement, signed by the retailer or hybrid retailer, certifying
320 that:

321 (i) During such event, such retailer or hybrid retailer shall adhere to:

322 (I) Such retailer's or hybrid retailer's written policies for preventing

323 diversion and misuse of cannabis and cannabis sales to underage
324 persons;

325 (II) The prohibition on off-site sales of medical marijuana products;

326 (III) The requirement that at least ninety per cent of the audience at
327 the off-site event is reasonably expected to be twenty-one years of age
328 or older; and

329 (IV) All other security requirements set forth by the department for
330 off-site events based on such retailer's or hybrid retailer's license type;
331 and

332 (ii) The person organizing such event has submitted a notice to the
333 chief elected official of the municipality in which such event will be held
334 disclosing:

335 (I) The information described in subparagraphs (A) and (B) of this
336 subdivision;

337 (II) That the retailer or hybrid retailer intends to sell cannabis to
338 consumers at such event; and

339 (III) That the person organizing such event has received, or will
340 receive prior to engaging in off-site event sales, all approvals required
341 under local zoning regulations; and

342 (4) Any other information the commissioner deems necessary for the
343 purposes of this section.

344 (e) The department shall collect a nonrefundable application fee in
345 the amount of five hundred dollars from each retailer or hybrid retailer
346 that submits an application to the department pursuant to subsection (c)
347 of this section. All application fees collected by the department pursuant
348 to this subsection shall be paid to the State Treasurer and credited to the
349 General Fund.

350 (f) (1) A municipality may, by amendment to such municipality's
351 zoning regulations or local ordinance:

352 (A) Prohibit retailers and hybrid retailers from selling cannabis in the
353 manner described in subsection (a) of this section;

354 (B) Establish reasonable restrictions concerning allowable hours and
355 signage for sales of cannabis under permits issued pursuant to this
356 section; or

357 (C) Establish restrictions on the proximity of sales of cannabis in the
358 manner described in subsection (a) of this section to any of the
359 establishments listed in subdivision (1) of subsection (a) of section 30-46
360 of the general statutes.

361 (2) If a municipality adopts an amendment or ordinance pursuant to
362 subdivision (1) of this subsection, the chief zoning official of such
363 municipality shall, not later than fourteen days after such municipality
364 adopts such amendment or ordinance, submit a report to the
365 department and the Secretary of the Office of Policy and Management,
366 in a form and manner prescribed by the commissioner, disclosing such
367 amendment or ordinance.

368 (3) No municipality may impose a fee for an application filed, or
369 permit issued, pursuant to this section.

370 (g) The commissioner shall adopt regulations, in accordance with the
371 provisions of chapter 54 of the general statutes, to implement the
372 provisions of this section. Notwithstanding the requirements of sections
373 4-168 to 4-172, inclusive, of the general statutes, the commissioner shall,
374 prior to adopting such regulations and in order to effectuate the
375 purposes of RERACA and protect public health and safety, issue
376 policies and procedures to implement the provisions of this section,
377 which policies and procedures shall have the force and effect of law. The
378 commissioner shall, at least fifteen days prior to the effective date of any
379 such policy or procedure, post such policy or procedure on the
380 department's Internet web site and submit such policy or procedure to
381 the Secretary of the State for posting on the eRegulations System. Any
382 such policy or procedure shall no longer be effective upon the earlier of
383 either the adoption of such policy or procedure as a final regulation

384 under section 4-172 of the general statutes or June 30, 2027, if such
385 regulations have not been submitted to the legislative regulation review
386 committee for consideration under section 4-170 of the general statutes.
387 Such regulations, policies and procedures shall include, but need not be
388 limited to, provisions concerning (1) secure transportation of products,
389 (2) seed-to-sale tracking requirements, (3) consumer transaction and off-
390 site inventory limits, (4) off-site location security requirements to protect
391 against cannabis diversion and underage persons' access to cannabis,
392 and (5) off-site event advertising restrictions.

393 Sec. 3. Subsections (d) and (e) of section 21a-420b of the general
394 statutes are repealed and the following is substituted in lieu thereof
395 (*Effective July 1, 2023*):

396 (d) No law enforcement officer employed by an agency that receives
397 state or local government funds shall expend state or local resources,
398 including the officer's time, to effect any arrest or seizure of cannabis, or
399 conduct any investigation, on the sole basis of activity the officer
400 believes to constitute a violation of federal law if the officer has reason
401 to believe that such activity is in compliance with this section and
402 sections 21a-420a, 21a-420c to 21a-420i, inclusive, 21a-420l to 21a-420n,
403 inclusive, 21a-420p to 21a-420t, inclusive, 21a-420v to 21a-421c,
404 inclusive, 21a-421f, 21a-421g, 21a-421j to 21a-421q, inclusive, as
405 amended by this act, 21a-421aa to 21a-421dd, inclusive, 21a-422k and 53-
406 247a, [and] sections 23, 60 and 63 to 65, inclusive, of public act 21-1 of
407 the June special session, [or] chapter 420f or section 2 of this act.

408 (e) An officer may not expend state or local resources, including the
409 officer's time, to provide any information or logistical support to any
410 federal law enforcement authority or prosecuting entity related to
411 activity the officer believes to constitute a violation of federal law if the
412 officer has reason to believe that such activity is in compliance with the
413 provisions of this section and sections 21a-420a, 21a-420c to 21a-420i,
414 inclusive, 21a-420l to 21a-420n, inclusive, 21a-420p to 21a-420t,
415 inclusive, 21a-420v to 21a-421c, inclusive, 21-421f, 21a-421g, 21a-421j to
416 21a-421q, inclusive, as amended by this act, 21a-421aa to 21a-421dd,

417 inclusive, 21a-422k and 53-247a, [and] sections 23, 60 and 63 to 65,
418 inclusive, of public act 21-1 of the June special session, [or] chapter 420f
419 or section 2 of this act.

420 Sec. 4. Subsection (k) of section 21a-420d of the general statutes is
421 repealed and the following is substituted in lieu thereof (*Effective July 1,*
422 *2023*):

423 (k) The council shall develop criteria for evaluating the ownership
424 and control of any equity joint venture created under section 21a-420m,
425 as amended by this act, 21a-420u, as amended by this act, or [section]
426 21a-420j and shall review and approve or deny in writing such equity
427 joint venture prior to such equity joint venture being licensed under
428 section 21a-420m, as amended by this act, 21a-420u, as amended by this
429 act, or [section] 21a-420j. After developing criteria for social equity plans
430 as described in subdivision (5) of subsection (h) of this section, the
431 council shall review and approve or deny in writing any such plan
432 submitted by a cannabis establishment as part of its final license
433 application. The council shall not approve any equity joint venture
434 applicant which shares with an equity joint venture any individual
435 owner who meets the criteria established in subparagraphs (A) and (B)
436 of subdivision [(48)] (49) of section 21a-420, as amended by this act.

437 Sec. 5. Subsection (b) of section 21a-420m of the general statutes is
438 repealed and the following is substituted in lieu thereof (*Effective July 1,*
439 *2023*):

440 (b) The equity joint venture shall be in any cannabis establishment
441 licensed business, other than a cultivator license, provided such equity
442 joint venture is at least fifty per cent owned and controlled by an
443 individual or individuals who meet, or the equity joint venture
444 applicant is an individual who meets, the criteria established in
445 subparagraphs (A) and (B) of subdivision [(48)] (49) of section 21a-420,
446 as amended by this act.

447 Sec. 6. Section 21a-420r of the general statutes is repealed and the
448 following is substituted in lieu thereof (*Effective July 1, 2023*):

449 (a) On and after July 1, 2021, the department may issue or renew a
450 license for a person to be a retailer. No person may act as a retailer or
451 represent that such person is a retailer unless such person has obtained
452 a license from the department pursuant to this section.

453 (b) A retailer may obtain cannabis from a cultivator, micro-cultivator,
454 producer, product packager, food and beverage manufacturer, product
455 manufacturer or transporter or an undeliverable return from a delivery
456 service. A retailer may sell, transport or transfer cannabis or cannabis
457 products to a delivery service, laboratory or research program. A retailer
458 may sell cannabis to a consumer or research program. A retailer may
459 not conduct sales of medical marijuana products nor offer discounts or
460 other inducements to qualifying patients or caregivers. A retailer shall
461 not gift or transfer cannabis at no cost to a consumer as part of a
462 commercial transaction.

463 (c) Retailers shall maintain a secure location, in a manner approved
464 by the commissioner, at the licensee's premises where cannabis that is
465 unable to be delivered by an employee or delivery service may be
466 returned to the retailer. Such secure cannabis return location shall meet
467 specifications set forth by the commissioner and published on the
468 department's Internet web site or included in regulations adopted by
469 the department.

470 (d) A retailer may deliver cannabis through a delivery service or by
471 utilizing its own employees, subject to the provisions of subsection (b)
472 of section 21a-420c.

473 (e) A retailer may sell cannabis to consumers under an off-site event
474 permit issued to the retailer pursuant to section 2 of this act. No retailer
475 shall sell cannabis at an off-site event to any individual who is acting in
476 such individual's capacity as a qualifying patient or caregiver.

477 Sec. 7. Section 21a-420s of the general statutes is repealed and the
478 following is substituted in lieu thereof (*Effective July 1, 2023*):

479 (a) On and after July 1, 2021, the department may issue or renew a

480 license for a hybrid retailer. No person may act as a hybrid retailer or
481 represent that such person is a hybrid retailer unless such person has
482 obtained a license from the department pursuant to this section.

483 (b) A hybrid retailer may obtain cannabis from a cultivator, micro-
484 cultivator, producer, product packager, food and beverage
485 manufacturer, product manufacturer or transporter. In addition to the
486 activities authorized under section 21a-420t, a hybrid retailer may sell,
487 transport or transfer cannabis to a delivery service, laboratory or
488 research program. A hybrid retailer may sell cannabis products to a
489 consumer or research program. A hybrid retailer shall not gift or
490 transfer cannabis at no cost to a consumer, qualifying patient or
491 caregiver as part of a commercial transaction.

492 (c) In addition to conducting general retail sales, a hybrid retailer may
493 sell cannabis and medical marijuana products, to qualifying patients
494 and caregivers. Any cannabis or medical marijuana products sold to
495 qualifying patients and caregivers shall be dispensed by a licensed
496 pharmacist and shall be recorded in the electronic prescription drug
497 monitoring program, established pursuant to section 21a-254, in real-
498 time or immediately upon completion of the transaction, unless not
499 reasonably feasible for a specific transaction, but in no case longer than
500 one hour after completion of the transaction. Only a licensed pharmacist
501 or dispensary technician may upload or access data in the prescription
502 drug monitoring program.

503 (d) A hybrid retailer shall maintain a licensed pharmacist on premises
504 at all times when the hybrid retail location is open to the public or to
505 qualifying patients and caregivers.

506 (e) The hybrid retailer location shall include a private consultation
507 space for pharmacists to meet with qualifying patients and caregivers.
508 Additionally, the hybrid retailer premises shall accommodate an
509 expedited method of entry that allows for priority entrance into the
510 premises for qualifying patients and caregivers.

511 (f) Hybrid retailers shall maintain a secure location, in a manner

512 approved by the commissioner, at the licensee's premises where
513 cannabis that is unable to be delivered may be returned to the hybrid
514 retailer. Such secure cannabis return location shall meet specifications
515 set forth by the commissioner and published on the department's
516 Internet web site or included in regulations adopted by the department.

517 (g) Cannabis dispensed to a qualifying patient or caregiver that are
518 unable to be delivered and are returned by the delivery service to the
519 hybrid retailer shall be returned to the licensee inventory system and
520 removed from the prescription drug monitoring program not later than
521 forty-eight hours after receipt of the cannabis from the delivery service.

522 (h) A hybrid retailer may not convert its license to a retailer license.
523 To obtain a retailer license, a hybrid retailer shall apply through the
524 lottery application process. A hybrid retailer may convert to a
525 dispensary facility if the hybrid retailer complies with all applicable
526 provisions of chapter 420f, and upon written approval by the
527 department.

528 (i) A hybrid retailer may sell cannabis to consumers under an off-site
529 event permit issued to the hybrid retailer pursuant to section 2 of this
530 act. No hybrid retailer shall sell cannabis at an off-site event to any
531 individual who is acting in such individual's capacity as a qualifying
532 patient or caregiver.

533 Sec. 8. Subsection (b) of section 21a-420u of the general statutes is
534 repealed and the following is substituted in lieu thereof (*Effective July 1,*
535 *2023*):

536 (b) Any equity joint venture created under this section shall be
537 created for the development of a cannabis establishment, other than a
538 cultivator, provided such equity joint venture is at least fifty per cent
539 owned and controlled by an individual or individuals who meet, or the
540 equity joint venture applicant is an individual who meets, the criteria
541 established in subparagraphs (A) and (B) of subdivision [(48)] (49) of
542 section 21a-420, as amended by this act.

543 Sec. 9. Subsection (b) of section 21a-420y of the general statutes is
544 repealed and the following is substituted in lieu thereof (*Effective July 1,*
545 *2023*):

546 (b) A product packager may obtain cannabis from a producer,
547 cultivator, micro-cultivator, food and beverage manufacturer or a
548 product manufacturer, provided the product packager utilizes its own
549 employees or a transporter. The product packager may sell, transfer or
550 transport cannabis to and from any cannabis establishment, laboratory
551 for testing or research program, provided the product packager only
552 transports cannabis packaged at its licensed establishment and utilizing
553 its own employees or a transporter.

554 Sec. 10. Section 21a-420z of the general statutes is repealed and the
555 following is substituted in lieu thereof (*Effective July 1, 2023*):

556 (a) On and after July 1, 2021, the department may issue or renew a
557 license for a person to be a delivery service or a transporter. No person
558 may act as a delivery service or transporter or represent that such person
559 is a licensed delivery service or transporter unless such person has
560 obtained a license from the department pursuant to this section.

561 (b) Upon application for a delivery service or transporter license, the
562 applicant shall indicate whether the applicant is applying to transport
563 cannabis (1) between cannabis establishments, in which case the
564 applicant shall apply for a transporter license, or (2) from certain
565 cannabis establishments to consumers or qualifying patients and
566 caregivers, or a combination thereof, in which case the applicant shall
567 apply for a delivery service license.

568 (c) A delivery service may (1) deliver cannabis from a micro-
569 cultivator, retailer, or hybrid retailer directly to a consumer, and (2)
570 deliver cannabis and medical marijuana products from a hybrid retailer
571 or dispensary facility directly to a qualifying patient, caregiver, or
572 hospice or other inpatient care facility licensed by the Department of
573 Public Health pursuant to chapter 368v that has protocols for the
574 handling and distribution of cannabis that have been approved by the

575 Department of Consumer Protection. A delivery service may not store
576 or maintain control of cannabis or medical marijuana products for more
577 than twenty-four hours between the point when a consumer, qualifying
578 patient, caregiver or facility places an order, until the time that the
579 cannabis or medical marijuana product is delivered to such consumer,
580 qualifying patient, caregiver or facility.

581 (d) A transporter may deliver cannabis between cannabis
582 establishments, research programs and laboratories and shall not store
583 or maintain control of cannabis for more than twenty-four hours from
584 the time the transporter obtains the cannabis from a cannabis
585 establishment, research program or laboratory until the time such
586 cannabis is delivered to the destination.

587 (e) The commissioner shall adopt regulations, in accordance with
588 chapter 54, to implement the provisions of RERACA. Notwithstanding
589 the requirements of sections 4-168 to 4-172, inclusive, in order to
590 effectuate the purposes of RERACA and protect public health and
591 safety, prior to adopting such regulations the commissioner shall issue
592 policies and procedures to implement the provisions of this section that
593 shall have the force and effect of law. The commissioner shall post all
594 policies and procedures on the department's Internet web site, and
595 submit such policies and procedures to the Secretary of the State for
596 posting on the eRegulations System, at least fifteen days prior to the
597 effective date of any policy or procedure. Any such policy or procedure
598 shall no longer be effective upon the earlier of either adoption of such
599 policy or procedure as a final regulation under section 4-172 or forty-
600 eight months from July 1, 2021, if such final regulations have not been
601 submitted to the legislative regulation review committee for
602 consideration under section 4-170. The commissioner shall issue policies
603 and procedures, and thereafter adopt final regulations, requiring that:
604 (1) The delivery service and transporter meet certain security
605 requirements related to the storage, handling and transport of cannabis,
606 the vehicles employed, the conduct of employees and agents, and the
607 documentation that shall be maintained by the delivery service,
608 transporter and its drivers; (2) a delivery service that delivers cannabis

609 to consumers maintain an online interface that verifies the age of
610 consumers ordering cannabis for delivery and meets certain
611 specifications and data security standards; and (3) a delivery service that
612 delivers cannabis to consumers, qualifying patients or caregivers, and
613 all employees and agents of such licensee, to verify the identity of the
614 qualifying patient, caregiver or consumer and the age of the consumer
615 upon delivery of cannabis to the end consumer, qualifying patient or
616 caregiver, in a manner acceptable to the commissioner. The individual
617 placing the cannabis order shall be the individual accepting delivery of
618 the cannabis except, in the case of a qualifying patient, the individual
619 accepting the delivery may be the caregiver of such qualifying patient.

620 (f) A delivery service shall not gift or transfer cannabis at no cost to a
621 consumer or qualifying patient or caregiver as part of a commercial
622 transaction.

623 (g) A delivery service that employs twelve or more individuals to
624 deliver cannabis pursuant to subsection (c) of this section may only use
625 individuals employed on a full-time basis, not less than thirty-five hours
626 a week, to deliver cannabis pursuant to subsection (c) of this section.
627 Any delivery service employees who deliver cannabis shall be
628 registered with the department, and a delivery service shall not employ
629 more than twenty-five such delivery employees at any given time.

630 (h) No provision of this section shall be construed to excuse any
631 delivery service from the requirement that such delivery service enter
632 into a labor peace agreement with a bona fide labor organization under
633 section 21a-421d, as amended by this act.

634 Sec. 11. Section 21a-421p of the general statutes is repealed and the
635 following is substituted in lieu thereof (*Effective July 1, 2023*):

636 (a) For sufficient cause found pursuant to subsection (b) of this
637 section, the commissioner may suspend or revoke a license, permit or
638 registration, issue fines of not more than twenty-five thousand dollars
639 per violation, accept an offer in compromise or refuse to grant [or
640 renew] a license, permit or registration, or renew a license or

641 registration, issued pursuant to RERACA, or place such licensee or
642 registrant on probation, place conditions on such licensee or registrant
643 or take other actions [permitted] authorized by law. Information from
644 inspections and investigations conducted by the department related to
645 administrative complaints or cases shall not be subject to disclosure
646 under the Freedom of Information Act, as defined in section 1-200,
647 except after the department has entered into a settlement agreement, or
648 concluded its investigation or inspection as evidenced by case closure,
649 provided [that] nothing in this section shall prevent the department
650 from sharing information with other state and federal agencies and law
651 enforcement as it relates to investigating violations of law.

652 (b) Any of the following shall constitute sufficient cause for such
653 action by the commissioner, including, but not limited to:

654 (1) Furnishing of false or fraudulent information in any application
655 or failure to comply with representations made in any application,
656 including, but not limited to, medical preservation plans and security
657 requirements;

658 (2) A civil judgment against or disqualifying conviction of a cannabis
659 establishment licensee, backer, key employee or license applicant;

660 (3) Failure to maintain effective controls against diversion, theft or
661 loss of cannabis, cannabis products or other controlled substances;

662 (4) Discipline by, or a pending disciplinary action or an unresolved
663 complaint against a cannabis establishment licensee, registrant or
664 applicant regarding any professional license or registration of any
665 federal, state or local government;

666 (5) Failure to keep accurate records and to account for the cultivation,
667 manufacture, packaging or sale of cannabis;

668 (6) Denial, suspension or revocation of a license or registration, or the
669 denial of a renewal of a license or registration, by any federal, state or
670 local government or a foreign jurisdiction;

671 (7) False, misleading or deceptive representations to the public or the
672 department;

673 (8) Return to regular stock of any cannabis where:

674 (A) The package or container containing the cannabis has been
675 opened, breached, tampered with or otherwise adulterated; or

676 (B) The cannabis has been previously sold to an end user or research
677 program subject;

678 (9) Involvement in a fraudulent or deceitful practice or transaction;

679 (10) Performance of incompetent or negligent work;

680 (11) Failure to maintain the entire cannabis establishment premises
681 or laboratory and contents in a secure, clean, orderly and sanitary
682 condition;

683 (12) [Permitting] Allowing another person to use the licensee's
684 license;

685 (13) Failure to properly register employees or license key employees,
686 or failure to notify the department of a change in key employees or
687 backers;

688 (14) An adverse administrative decision or delinquency assessment
689 against the cannabis establishment from the Department of Revenue
690 Services;

691 (15) Failure to cooperate or give information to the department, local
692 law enforcement authorities or any other enforcement agency upon any
693 matter arising out of conduct in connection with a research program or
694 an event that is the subject of an off-site event permit issued pursuant to
695 section 2 of this act, or at the premises of a cannabis establishment or a
696 laboratory; [or in connection with a research program;]

697 (16) Advertising in a manner prohibited by section 21a-421bb; or

698 (17) Failure to comply with any provision of RERACA, or any policies
699 and procedures issued by the commissioner to implement, or
700 regulations adopted pursuant to, RERACA.

701 (c) Upon refusal to issue [or renew] a license, permit or registration,
702 or renew a license or registration, the commissioner shall notify the
703 applicant of the denial and of the applicant's right to request a hearing
704 within ten days from the date of receipt of the notice of denial. If the
705 applicant requests a hearing within such ten-day period, the
706 commissioner shall give notice of the grounds for the commissioner's
707 refusal and shall conduct a hearing concerning such refusal in
708 accordance with the provisions of chapter 54 concerning contested
709 cases. If the commissioner's denial of a license or registration is
710 sustained after such hearing, an applicant may not apply for a new
711 cannabis establishment, laboratory, backer or key employee license, [or]
712 employee registration or off-site event permit for a period of one year
713 after the date on which such denial was sustained.

714 (d) No person whose license or registration has been revoked may
715 apply for a cannabis establishment, backer or key employee license or
716 an employee registration for a period of one year after the date of such
717 revocation.

718 (e) The voluntary surrender of a license, permit or registration, or
719 failure to renew a license or registration, shall not prevent the
720 commissioner from suspending or revoking such license, permit or
721 registration or imposing other penalties permitted by RERACA.

722 Sec. 12. Section 21a-278b of the general statutes is repealed and the
723 following is substituted in lieu thereof (*Effective July 1, 2023*):

724 (a) No person may manufacture, distribute, sell, prescribe, dispense,
725 compound, transport with the intent to sell or dispense, possess with
726 the intent to sell or dispense, offer, give or administer to another person
727 cannabis or cannabis products, except as authorized in chapter 420b or
728 420f or sections 21a-420n, 21a-420p, 21a-420r to 21a-420t, inclusive, as
729 amended by this act, or 21a-420w to 21a-420z, inclusive, as amended by

730 this act, or section 2 of this act.

731 (b) (1) Except as provided in subsection (c) or (d) of this section, any
732 person eighteen years of age or older who violates subsection (a) of this
733 section (A) for a first offense, shall be guilty of a class B misdemeanor,
734 and (B) for any subsequent offense, shall be guilty of a class A
735 misdemeanor.

736 (2) Any person under eighteen years of age who violates subsection
737 (a) of this section shall be adjudicated delinquent pursuant to the
738 provisions of section 46b-120.

739 (c) Any person eighteen years of age or older who violates subsection
740 (a) of this section by manufacturing, distributing, selling, prescribing,
741 compounding, transporting with the intent to sell or dispense,
742 possessing with the intent to sell or dispense, offering, giving or
743 administering to another person less than eight ounces of cannabis plant
744 material, as defined in section 21a-279a, or an equivalent amount of
745 cannabis products or a combination of cannabis and cannabis products,
746 as provided in subsection (i) of section 21a-279a, (1) for a first offense,
747 shall be fined not more than five hundred dollars, and (2) for any
748 subsequent offense, shall be guilty of a class C misdemeanor.

749 (d) Any person eighteen years of age or older who before July 1, 2023,
750 violates subsection (a) of this section by growing up to three mature
751 cannabis plants and three immature cannabis plants in such person's
752 own residence for personal use (1) for a first offense, shall be issued a
753 written warning, (2) for a second offense, shall be fined not more than
754 five hundred dollars, and (3) for any subsequent offense, shall be guilty
755 of a class D misdemeanor. If evidence of a violation of this subsection is
756 found in the course of any law enforcement activity other than
757 investigation of a violation of this subsection or section 21a-278 or 21a-
758 279a, such evidence shall not be admissible in any criminal proceeding.

759 Sec. 13. Section 21a-421d of the general statutes is repealed and the
760 following is substituted in lieu thereof (*Effective July 1, 2023*):

761 (a) As used in this section:

762 (1) "Bona fide labor organization" means a labor union that [(A)
763 represents employees in this state with regard to wages, hours and
764 working conditions, (B) whose officers have been elected by a secret
765 ballot or otherwise in a manner consistent with federal law, (C) is free
766 of domination or interference by any employer and has received no
767 improper assistance or support from any employer, and (D)] the Labor
768 Department determines, pursuant to subsection (b) of this section, is
769 actively seeking to represent cannabis workers in the state;

770 (2) "Labor peace agreement" means an agreement between a cannabis
771 establishment and a bona fide labor organization under this section
772 pursuant to which the owners and management of the cannabis
773 establishment agree not to lock out employees and that prohibits the
774 bona fide labor organization from engaging in picketing, work
775 stoppages or boycotts against the cannabis establishment;

776 (3) "Cannabis establishment", "dispensary facility" and "producer"
777 have the same meanings as provided in section 21a-420, as amended by
778 this act; and

779 (4) "Licensee" means a cannabis establishment licensee, dispensary
780 facility or producer.

781 (b) The Labor Department shall determine which labor unions, and
782 develop a list of labor unions that, are actively seeking to represent
783 cannabis workers in the state. In determining whether a labor union is
784 actively seeking to represent cannabis workers in the state, the Labor
785 Department shall consider the following factors to be indicative, but not
786 determinative, of whether the labor union is actively seeking to
787 represent cannabis workers in the state: (1) The labor union (A)
788 represents employees in this state with regard to wages, hours and
789 working conditions, (B) is free of domination or interference by any
790 employer, (C) has received no improper assistance or support from any
791 employer, (D) has been recognized or certified as the bargaining
792 representative for cannabis employees in the state, (E) has executed one

793 or more current collective bargaining agreements with cannabis
794 employers in the state, (F) has spent resources as part of one or more
795 current and active attempts to organize and represent cannabis workers
796 in the state, (G) has filed the annual report required by 29 USC 431(b)
797 for the three years immediately preceding the Labor Department's
798 consideration of such labor union, (H) has audited financial reports
799 covering the three years immediately preceding the Labor Department's
800 consideration of such labor union, (I) was governed by a written
801 constitution or bylaws for the three years immediately preceding the
802 Labor Department's consideration of such labor union, and (J) is
803 affiliated with regional or national associations of unions, including, but
804 not limited to, central labor councils; and (2) the labor union's officers
805 have been elected by a secret ballot or otherwise in a manner consistent
806 with federal law.

807 [(b)] (c) Any provisional cannabis establishment licensee, dispensary
808 facility or producer shall, as a condition of its final license approval,
809 license conversion or approval for expanded authorization,
810 respectively, enter into a labor peace agreement with a bona fide labor
811 organization. Any such labor peace agreement shall contain a clause
812 that the parties agree that final and binding arbitration by a neutral
813 arbitrator will be the exclusive remedy for any violation of such
814 agreement.

815 [(c)] (d) Notwithstanding the provisions of chapter 54, if an arbitrator
816 finds that a licensee failed to comply with an order issued by the
817 arbitrator to correct a failure to abide by such agreement, upon receipt
818 of a written copy of such finding, the [department] Department of
819 Consumer Protection shall suspend the licensee's license without
820 further administrative proceedings or formal hearing.

821 [(d)] (e) A licensee or bona fide labor organization may commence a
822 civil action in the Superior Court in the judicial district where the facility
823 used in the operation of a cannabis establishment is located to enforce
824 the arbitration award or to lift the license suspension. The license shall
825 remain suspended until such time that: (1) [the] The arbitrator notifies,

826 or both of the parties to the arbitration notify, the [department]
827 Department of Consumer Protection that the licensee is in compliance
828 with the arbitration award; (2) both of the parties to the arbitration
829 notify the [department] Department of Consumer Protection that they
830 have satisfactorily resolved their dispute; (3) the court, after hearing,
831 lifts the suspension; or (4) the court, after hearing, orders alternative
832 remedies, which may include, but need not be limited to, ordering the
833 [department] Department of Consumer Protection to revoke the license
834 or ordering the appointment of a receiver to properly dispose of any
835 cannabis inventory. Except as provided in subsection [(e)] (f) of this
836 section, during such time that a license is suspended pursuant to this
837 section, the licensee may engage in conduct necessary to maintain and
838 secure the cannabis inventory, but may not sell, transport or transfer
839 cannabis to another cannabis establishment, consumer or laboratory,
840 unless such sale or transfer is associated with a voluntary surrender of
841 license and a cannabis disposition plan approved by the [commissioner]
842 Commissioner of Consumer Protection.

843 [(e)] (f) A producer, cultivator or micro-cultivator may sell, transport
844 or transfer cannabis to a product packager, food or beverage
845 manufacturer, product manufacturer, dispensary facility or hybrid
846 retailer for the sale of products to qualified patients or caregivers, which
847 products shall be labeled "For Medical Use Only".

848 Sec. 14. Section 21a-421j of the general statutes is repealed and the
849 following is substituted in lieu thereof (*Effective July 1, 2023*):

850 The commissioner shall adopt regulations in accordance with chapter
851 54 to implement the provisions of RERACA. Notwithstanding the
852 requirements of sections 4-168 to 4-172, inclusive, in order to effectuate
853 the purposes of RERACA and protect public health and safety, prior to
854 adopting such regulations the commissioner shall issue policies and
855 procedures to implement the provisions of RERACA that shall have the
856 force and effect of law. The commissioner shall post all policies and
857 procedures on the department's Internet web site and submit such
858 policies and procedures to the Secretary of the State for posting on the

859 eRegulations System, at least fifteen days prior to the effective date of
860 any policy or procedure. The commissioner shall also provide such
861 policies and procedures, in a manner prescribed by the commissioner,
862 to each licensee and applicant for a license under this chapter. Any such
863 policy or procedure shall no longer be effective upon the earlier of either
864 the adoption of the policy or procedure as a final regulation under
865 section 4-172 or forty-eight months from June 22, 2021, if such
866 regulations have not been submitted to the legislative regulation review
867 committee for consideration under section 4-170. The commissioner
868 shall issue policies and procedures and thereafter final regulations that
869 include, but are not limited to, the following:

870 (1) Setting appropriate dosage, potency, concentration and serving
871 size limits and delineation requirements for cannabis, provided a
872 standardized serving of edible cannabis product or beverage, other than
873 a medical marijuana product, shall contain not more than five
874 milligrams of THC. [;]

875 (2) Requiring that each single standardized serving of cannabis
876 product in a multiple-serving edible product or beverage is physically
877 demarked in a way that enables a reasonable person to determine how
878 much of the product constitutes a single serving and a maximum
879 amount of THC per multiple-serving edible cannabis product or
880 beverage. [;]

881 (3) Requiring that, if it is impracticable to clearly demark every
882 standardized serving of cannabis product or to make each standardized
883 serving easily separable in an edible cannabis product or beverage, the
884 product, other than cannabis concentrate or medical marijuana product,
885 shall contain not more than five milligrams of THC per unit of sale. [;]

886 (4) Establishing, in consultation with the Department of Mental
887 Health and Addiction Services, consumer health materials that shall be
888 posted or distributed, as specified by the commissioner, by cannabis
889 establishments to maximize dissemination to cannabis consumers.
890 Consumer health materials may include pamphlets, packaging inserts,
891 signage, online and printed advertisements and advisories and printed

892 health materials. [;]

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

896 (A) [A] Inclusion of universal [symbol] symbols to indicate that
897 cannabis, or a cannabis product that contains cannabis, contains THC
898 and is not legal or safe for individuals younger than twenty-one years
899 of age, and prescribe how such product and product packaging shall
900 utilize and exhibit such [symbol;] symbols.

901 (B) A disclosure concerning the length of time it typically takes for
902 the cannabis to affect an individual, including that certain forms of
903 cannabis take longer to have an effect. [;]

904 (C) A notation of the amount of cannabis the cannabis product is
905 considered the equivalent to. [;]

906 (D) A list of ingredients and all additives for cannabis. [;]

907 (E) Child-resistant, tamper-resistant and light-resistant packaging,
908 including requiring that an edible product be individually wrapped. [;]
909 For the purposes of this subparagraph, packaging shall be deemed to be
910 (i) child-resistant if the packaging satisfies the standard for special
911 packaging established in 16 CFR 1700.1(b)(4), as amended from time to
912 time, (ii) tamper-resistant if the packaging has at least one barrier to, or
913 indicator of, entry that would preclude the contents of such packaging
914 from being accessed or adulterated without indicating to a reasonable
915 person that such packaging has been breached, and (iii) light-resistant if
916 the packaging is entirely and uniformly opaque and protects the entirety
917 of the contents of such packaging from the effects of light.

918 (F) Packaging for cannabis intended for multiple servings to be
919 resealable in such a manner so as to render such packaging continuously
920 child-resistant, as described in subparagraph (E)(i) of this subdivision,
921 and preserve the integrity of the contents of such packaging.

922 (G) Impervious packaging that protects the contents of such
923 packaging from contamination and exposure to any toxic or harmful
924 substance, including, but not limited to, any glue or other adhesive or
925 substance that is incorporated in such packaging.

926 [(F)] (H) Product tracking information sufficient to determine where
927 and when the cannabis was grown and manufactured such that a
928 product recall could be effectuated. [;]

929 [(G)] (I) A net weight statement. [;]

930 [(H)] (J) A recommended use by or expiration date. [; and]

931 [(I)] (K) Standard and uniform packaging and labeling, including, but
932 not limited to, requirements (i) regarding branding or logos, (ii) that all
933 packaging be opaque, and (iii) that amounts and concentrations of THC
934 and cannabidiol, per serving and per package, be clearly marked on the
935 packaging or label of any cannabis product sold. [;]

936 (L) For any cannabis concentrate cannabis product that contains a
937 total THC percentage greater than thirty per cent, a warning that such
938 cannabis product is a high-potency product and may increase the risk
939 of psychosis.

940 (M) Chemotypes, which shall be displayed as (i) "High THC, Low
941 CBD" where the ratio of THC to CBD is greater than five to one and the
942 total THC percentage is at least fifteen per cent, (ii) "Moderate THC,
943 Moderate CBD" where the ratio of THC to CBD is at least one to five but
944 not greater than five to one and the total THC percentage is greater than
945 five per cent but less than fifteen per cent, (iii) "Low THC, High CBD"
946 where the ratio of THC to CBD is less than one to five and the total THC
947 percentage is not greater than five per cent, or (iv) the chemotype
948 described in clause (i), (ii) or (iii) of this subparagraph that most closely
949 fits the cannabis or cannabis product, as determined by mathematical
950 analysis of the ratio of THC to CBD, where such cannabis or cannabis
951 product does not fit a chemotype described in clause (i), (ii) or (iii) of
952 this subparagraph.

953 (N) A requirement that, prior to being sold and transferred to a
954 consumer, qualifying patient or caregiver, cannabis packaging be
955 clearly labeled, whether printed directly on such packaging or affixed
956 by way of a separate label, other than an extended content label, with:

957 (i) A unique identifier generated by a cannabis analytic tracking
958 system maintained by the department and used to track cannabis under
959 the policies and procedures issued, and final regulations adopted, by
960 the commissioner pursuant to this section; and

961 (ii) The following information concerning the cannabis contained in
962 such packaging, which shall be in legible English, black lettering, Times
963 New Roman font, flat regular typeface, on a contrasting background
964 and in uniform size of not less than one-tenth of one inch, based on a
965 capital letter "K", which information shall also be available on the
966 Internet web site of the cannabis establishment that sells and transfers
967 such cannabis:

968 (I) The name of such cannabis, as registered with the department
969 under the policies and procedures issued, and final regulations adopted,
970 by the commissioner pursuant to this section.

971 (II) The expiration date, which shall not account for any refrigeration
972 after such cannabis is sold and transferred to the consumer, qualifying
973 patient or caregiver.

974 (III) The net weight or volume, expressed in metric and imperial
975 units.

976 (IV) The standardized serving size, expressed in customary units, and
977 the number of servings included in such packaging, if applicable.

978 (V) Directions for use and storage.

979 (VI) Each active ingredient comprising at least one per cent of such
980 cannabis, including cannabinoids, isomers, esters, ethers and salts and
981 salts of isomers, esters and ethers, and all quantities thereof expressed
982 in metric units and as a percentage of volume.

983 (VII) A list of all known allergens, as identified by the federal Food
984 and Drug Administration, contained in such cannabis, or the denotation
985 "no known FDA identified allergens" if such cannabis does not contain
986 any allergen identified by the federal Food and Drug Administration.

987 (VIII) The following warning statement within, and outlined by, a red
988 box:

989 "This product is not FDA-approved, may be intoxicating, cause long-
990 term physical and mental health problems, and have delayed side
991 effects. It is illegal to operate a vehicle or machinery under the influence
992 of cannabis. Keep away from children."

993 (IX) At least one of the following warning statements, rotated
994 quarterly on an alternating basis:

995 "Warning: Frequent and prolonged use of cannabis can contribute to
996 mental health problems over time, including anxiety, depression,
997 stunted brain development and impaired memory."

998 "Warning: Consumption while pregnant or breastfeeding may be
999 harmful."

1000 "Warning: Cannabis has intoxicating effects and may be habit-
1001 forming and addictive."

1002 "Warning: Consuming more than the recommended amount may
1003 result in adverse effects requiring medical attention."

1004 (X) All information necessary to comply with labeling requirements
1005 imposed under the laws of this state or federal law, including, but not
1006 limited to, sections 21a-91 to 21a-120, inclusive, and 21a-151 to 21a-159,
1007 inclusive, the Federal Food, Drug and Cosmetic Act, 21 USC 301 et seq.,
1008 as amended from time to time, and the federal Fair Packaging and
1009 Labeling Act, 15 USC 1451 et seq., as amended from time to time, for
1010 similar products that do not contain cannabis.

1011 (XI) Such additional warning labels for certain cannabis products as

1012 the commissioner may require and post on the department's Internet
1013 web site.

1014 (6) Establishing laboratory testing standards. [;]

1015 (7) Restricting forms of cannabis products and cannabis product
1016 delivery systems to ensure consumer safety and deter public health
1017 concerns. [;]

1018 (8) Prohibiting certain manufacturing methods, or inclusion of
1019 additives to cannabis products, including, but not limited to, (A) added
1020 flavoring, terpenes or other additives unless approved by the
1021 department, or (B) any form of nicotine or other additive containing
1022 nicotine. [;]

1023 (9) Prohibiting cannabis product types that appeal to children. [;]

1024 (10) Establishing physical and cyber security requirements related to
1025 build out, monitoring and protocols for cannabis establishments as a
1026 requirement for licensure. [;]

1027 (11) Placing temporary limits on the sale of cannabis in the adult-use
1028 market, if deemed appropriate and necessary by the commissioner, in
1029 response to a shortage of cannabis for qualifying patients. [;]

1030 (12) Requiring retailers and hybrid retailers to make best efforts to
1031 provide access to (A) low-dose THC products, including products that
1032 have one milligram and two and a half milligrams of THC per dose, and
1033 (B) high-dose CBD products. [;]

1034 (13) Requiring producers, cultivators, micro-cultivators, product
1035 manufacturers and food and beverage manufacturers to register brand
1036 names for cannabis, in accordance with the policies and procedures and
1037 subject to the fee set forth in, regulations adopted under chapter 420f. [;]

1038 (14) Prohibiting a cannabis establishment from selling, other than the
1039 sale of medical marijuana products between cannabis establishments
1040 and the sale of cannabis to qualified patients and caregivers, (A)

1041 cannabis flower or other cannabis plant material with a total THC
1042 concentration greater than thirty per cent on a dry-weight basis, and (B)
1043 any cannabis product other than cannabis flower and cannabis plant
1044 material with a total THC concentration greater than sixty per cent on a
1045 dry-weight basis, except that the provisions of subparagraph (B) of this
1046 subdivision shall not apply to the sale of prefilled cartridges for use in
1047 an electronic cannabis delivery system, as defined in section 19a-342a
1048 and the department may adjust the percentages set forth in
1049 subparagraph (A) or (B) of this subdivision in regulations adopted
1050 pursuant to this section for purposes of public health or to address
1051 market access or shortage. As used in this subdivision, "total THC" has
1052 the same meaning as provided in section 21a-240 and "cannabis plant
1053 material" means material from the cannabis plant, as defined in section
1054 21a-279a. [; and]

1055 (15) Permitting the outdoor cultivation of cannabis.

1056 (16) Prohibiting packaging that is (A) visually similar to any
1057 commercially similar product that does not contain cannabis, or (B) used
1058 for any good that is marketed to individuals reasonably expected to be
1059 younger than twenty-one years of age.

1060 (17) Allowing cannabis packaging to include a picture of the cannabis
1061 plant and contain a logo of one cannabis establishment, which logo may
1062 be comprised of not more than three colors and provided neither black
1063 nor white shall be considered one of such three colors. Packaging shall
1064 be entirely and uniformly one color, and shall not incorporate any
1065 information, print, embossing, debossing, graphic or hidden feature,
1066 other than any permitted or required label. Notwithstanding any
1067 contrary provision of this subdivision, packaging for edible cannabis
1068 products shall be entirely and uniformly white, and white and black
1069 shall be considered colors for the purposes of edible cannabis product
1070 packaging.

1071 Sec. 15. Section 38a-1040 of the general statutes is repealed and the
1072 following is substituted in lieu thereof (*Effective from passage*):

1073 As used in this section and sections [38a-1040] 38a-1041 to 38a-1050,
1074 inclusive, as amended by this act:

1075 (1) "Caregiver" has the same meaning as provided in section 21a-408;

1076 ~~[(1)]~~ (2) "Consumer" means an individual who receives or is
1077 attempting to receive services from a managed care organization and is
1078 a resident of this state; [.]

1079 ~~[(2)]~~ (3) "Managed care organization" means an insurer, health care
1080 center, hospital service corporation, medical service corporation or
1081 other organization delivering, issuing for delivery, renewing or
1082 amending any individual or group health managed care plan in this
1083 state; [.]

1084 ~~[(3)]~~ (4) "Managed care plan" means a product offered by a managed
1085 care organization that provides for the financing or delivery of health
1086 care services to persons enrolled in the plan through: (A) Arrangements
1087 with selected providers to furnish health care services; (B) explicit
1088 standards for the selection of participating providers; (C) financial
1089 incentives for enrollees to use the participating providers and
1090 procedures provided for by the plan; or (D) arrangements that share
1091 risks with providers, provided the organization offering a plan
1092 described under subparagraph (A), (B), (C) or (D) of this subdivision is
1093 licensed by the Insurance Department pursuant to chapter 698, 698a or
1094 700 and that the plan includes utilization review, as defined in section
1095 38a-591a;

1096 (5) "Marijuana" has the same meaning as provided in section 21a-240;

1097 (6) "Medical marijuana product" has the same meaning as provided
1098 in section 21a-420, as amended by this act;

1099 (7) "Palliative use" has the same meaning as provided in section 21a-
1100 408; and

1101 (8) "Qualifying patient" has the same meaning as provided in section
1102 21a-408.

1103 Sec. 16. Section 38a-1041 of the general statutes is repealed and the
1104 following is substituted in lieu thereof (*Effective from passage*):

1105 (a) There is established an Office of the Healthcare Advocate which
1106 shall be within the Insurance Department for administrative purposes
1107 only.

1108 (b) The Office of the Healthcare Advocate may:

1109 (1) Assist health insurance consumers with managed care plan
1110 selection by providing information, referral and assistance to
1111 individuals about means of obtaining health insurance coverage and
1112 services;

1113 (2) Assist health insurance consumers to understand their rights and
1114 responsibilities under managed care plans;

1115 (3) Provide information to the public, agencies, legislators and others
1116 regarding problems and concerns of health insurance consumers and
1117 make recommendations for resolving those problems and concerns;

1118 (4) Assist consumers with the filing of complaints and appeals,
1119 including filing appeals with a managed care organization's internal
1120 appeal or grievance process and the external appeal process established
1121 under sections 38a-591d to 38a-591g, inclusive;

1122 (5) Analyze and monitor the development and implementation of
1123 federal, state and local laws, regulations and policies relating to health
1124 insurance consumers and recommend changes it deems necessary;

1125 (6) Facilitate public comment on laws, regulations and policies,
1126 including policies and actions of health insurers;

1127 (7) Ensure that health insurance consumers have timely access to the
1128 services provided by the office;

1129 (8) Review the health insurance records of a consumer who has
1130 provided written consent for such review;

1131 (9) Create and make available to employers a notice, suitable for
1132 posting in the workplace, concerning the services that the Healthcare
1133 Advocate provides;

1134 (10) Establish a toll-free number, or any other free calling option, to
1135 allow customer access to the services provided by the Healthcare
1136 Advocate;

1137 (11) Pursue administrative remedies on behalf of and with the
1138 consent of any health insurance consumers;

1139 (12) Adopt regulations, pursuant to chapter 54, to carry out the
1140 provisions of sections 38a-1040 to 38a-1050, inclusive, as amended by
1141 this act; and

1142 (13) Take any other actions necessary to fulfill the purposes of
1143 sections 38a-1040 to 38a-1050, inclusive, as amended by this act.

1144 (c) The Office of the Healthcare Advocate shall make a referral to the
1145 Insurance Commissioner if the Healthcare Advocate finds that a
1146 preferred provider network may have engaged in a pattern or practice
1147 that may be in violation of sections 38a-479aa to 38a-479gg, inclusive, or
1148 38a-815 to 38a-819, inclusive.

1149 (d) The Healthcare Advocate and the Insurance Commissioner shall
1150 jointly compile a list of complaints received against managed care
1151 organizations and preferred provider networks and the commissioner
1152 shall maintain the list, except the names of complainants shall not be
1153 disclosed if such disclosure would violate the provisions of section 4-
1154 61dd or 38a-1045.

1155 (e) The [Managed Care Ombudsman] Healthcare Advocate shall
1156 establish a process to provide ongoing communication among mental
1157 health care providers, patients, state-wide and regional business
1158 organizations, managed care companies and other health insurers to
1159 assure: (1) Best practices in mental health treatment and recovery; (2)
1160 compliance with the provisions of sections 38a-476a, 38a-476b, 38a-488a
1161 and 38a-489; and (3) the relative costs and benefits of providing effective

1162 mental health care coverage to employees and their families. On or
1163 before January 1, 2006, and annually thereafter, the Healthcare
1164 Advocate shall report, in accordance with the provisions of section 11-
1165 4a, on the implementation of this subsection to the joint standing
1166 committees of the General Assembly having cognizance of matters
1167 relating to public health and insurance.

1168 (f) The Office of the Healthcare Advocate shall, within available
1169 appropriations, establish and maintain a healthcare consumer
1170 information web site on the Internet for use by the public in obtaining
1171 healthcare information, including but not limited to: (1) The availability
1172 of wellness programs in various regions of Connecticut, such as disease
1173 prevention and health promotion programs; (2) quality and experience
1174 data from hospitals licensed in this state; and (3) a link to the consumer
1175 report card developed and distributed by the Insurance Commissioner
1176 pursuant to section 38a-478l.

1177 (g) The Office of the Healthcare Advocate shall establish an
1178 information and referral service to help residents and providers receive
1179 behavioral health care information, timely referrals and access to
1180 behavioral health care providers. In developing and implementing such
1181 service, the Healthcare Advocate, or the Healthcare Advocate's
1182 designee, shall: (1) Collaborate with stakeholders, including, but not
1183 limited to, (A) state agencies, (B) the Behavioral Health Partnership
1184 established pursuant to section 17a-22h, (C) community collaboratives,
1185 (D) the United Way's 2-1-1 Infoline program, and (E) providers; (2)
1186 identify any basis that prevents residents from obtaining adequate and
1187 timely behavioral health care services, including, but not limited to, (A)
1188 gaps in private behavioral health care services and coverage, and (B)
1189 barriers to access to care; (3) coordinate a public awareness and
1190 educational campaign directing residents to the information and
1191 referral service; and (4) develop data reporting mechanisms to
1192 determine the effectiveness of the service, including, but not limited to,
1193 tracking (A) the number of referrals to providers by type and location of
1194 providers, (B) waiting time for services, and (C) the number of providers
1195 who accept or reject requests for service based on type of health care

1196 coverage. Not later than February 1, 2016, and annually thereafter, the
1197 Office of the Healthcare Advocate shall submit a report, in accordance
1198 with the provisions of section 11-4a, to the joint standing committees of
1199 the General Assembly having cognizance of matters relating to children,
1200 human services, public health and insurance. The report shall identify
1201 gaps in services and the resources needed to improve behavioral health
1202 care options for residents.

1203 (h) Not later than October 1, 2022, the Healthcare Advocate shall
1204 designate an employee of the Office of the Healthcare Advocate to be
1205 responsible for: (1) Performing the office's duties to minors; and (2)
1206 coordinating state-wide efforts to ensure that minors have coverage,
1207 and access to services, for behavioral health conditions, mental health
1208 conditions and substance use disorders.

1209 (i) Not later than October 1, 2023, the Healthcare Advocate shall
1210 designate an employee of the Office of the Healthcare Advocate to serve
1211 as the Cannabis Ombudsman. The ombudsman shall be qualified by
1212 training and experience to perform the duties set forth in this subsection,
1213 and shall have expertise and experience with the palliative use of
1214 marijuana. The ombudsman shall: (1) Represent the interests of
1215 qualifying patients and caregivers; (2) identify, investigate and resolve
1216 complaints made by, or on behalf of, qualifying patients and caregivers;
1217 (3) monitor the palliative use of marijuana as authorized under chapter
1218 420f; (4) report action, inaction or decisions that may adversely affect the
1219 health, safety, welfare or rights of qualifying patients; (5) analyze,
1220 comment on and monitor the development and implementation of
1221 federal, state and local laws, regulations and other government policies
1222 and actions concerning the health, safety, welfare and rights of
1223 qualifying patients and caregivers; (6) recommend any changes to the
1224 laws, regulations, policies and actions described in subdivision (5) of
1225 this subsection that the ombudsman deems appropriate to, among other
1226 things, improve the palliative marijuana market in this state; and (7)
1227 facilitate public comment on the laws, regulations, policies and actions
1228 described in subdivision (5) of this subsection.

1229 Sec. 17. (*Effective from passage*) (a) There is established a task force to
1230 study the potential health, safety and financial impact of allowing
1231 individuals who are authorized to cultivate cannabis in their residences
1232 to sell, at retail, such cannabis at events organized, at least in part, to
1233 facilitate such sales. The task force shall (1) examine the impact that such
1234 sales would likely have on this state, including, but not limited to, the
1235 impact that such sales would likely have on residents of this state and
1236 the state's existing medical and recreational cannabis markets, and (2) if
1237 the task force recommends that the state authorize such sales,
1238 recommend any legislation necessary to authorize and regulate such
1239 sales.

1240 (b) The task force shall consist of the following members:

1241 (1) Two appointed by the speaker of the House of Representatives;

1242 (2) Two appointed by the president pro tempore of the Senate;

1243 (3) One appointed by the majority leader of the House of
1244 Representatives;

1245 (4) One appointed by the majority leader of the Senate;

1246 (5) One appointed by the minority leader of the House of
1247 Representatives;

1248 (6) One appointed by the minority leader of the Senate;

1249 (7) The Commissioner of Consumer Protection, or the commissioner's
1250 designee;

1251 (8) The Commissioner of Public Health, or the commissioner's
1252 designee;

1253 (9) The Commissioner of Mental Health and Addiction Services, or
1254 the commissioner's designee; and

1255 (10) Two appointed by the Governor.

1256 (c) Any member of the task force appointed under subdivision (1),
1257 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
1258 of the General Assembly.

1259 (d) All initial appointments to the task force shall be made not later
1260 than thirty days after the effective date of this section. Any vacancy shall
1261 be filled by the appointing authority.

1262 (e) The speaker of the House of Representatives and the president pro
1263 tempore of the Senate shall select the chairpersons of the task force from
1264 among the members of the task force. Such chairpersons shall schedule
1265 the first meeting of the task force, which shall be held not later than sixty
1266 days after the effective date of this section.

1267 (f) The administrative staff of the joint standing committee of the
1268 General Assembly having cognizance of matters relating to consumer
1269 protection shall serve as administrative staff of the task force.

1270 (g) Not later than January 1, 2024, the task force shall submit a report
1271 on its findings and recommendations to the joint standing committee of
1272 the General Assembly having cognizance of matters relating to
1273 consumer protection, in accordance with the provisions of section 11-4a
1274 of the general statutes. The task force shall terminate on the date that it
1275 submits such report or January 1, 2024, whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	21a-420
Sec. 2	July 1, 2023	New section
Sec. 3	July 1, 2023	21a-420b(d) and (e)
Sec. 4	July 1, 2023	21a-420d(k)
Sec. 5	July 1, 2023	21a-420m(b)
Sec. 6	July 1, 2023	21a-420r
Sec. 7	July 1, 2023	21a-420s
Sec. 8	July 1, 2023	21a-420u(b)
Sec. 9	July 1, 2023	21a-420y(b)
Sec. 10	July 1, 2023	21a-420z
Sec. 11	July 1, 2023	21a-421p

Sec. 12	<i>July 1, 2023</i>	21a-278b
Sec. 13	<i>July 1, 2023</i>	21a-421d
Sec. 14	<i>July 1, 2023</i>	21a-421j
Sec. 15	<i>from passage</i>	38a-1040
Sec. 16	<i>from passage</i>	38a-1041
Sec. 17	<i>from passage</i>	New section

Statement of Legislative Commissioners:

Section 1(1) was rewritten for consistency with standard drafting conventions and accuracy; in Section 2(b), the reference to Subsec. (e) was changed to reference Subsec. (f) for accuracy; in Sections 2(e), (f) and (g), the designators "(d)", "(e)" and "(f)" were changed to "(e)", "(f)" and "(g)", respectively, for consistency with standard drafting conventions; in Section 3(d) and (e), "53-247a and" was changed to "53-247a, [and]" for consistency with standard drafting conventions; in Section 4(k), "section 21a-420j" was changed to "[section] 21a-420j" for consistency with standard drafting conventions; Section 9(b) was rewritten for clarity; in Section 12(a), "[or] 21a-420w" was changed to "or 21a-420w" for consistency with standard drafting conventions; in Section 13(b), "identify, and develop a list of," was changed to "determine which labor unions, and develop a list of labor unions that," for internal consistency; in Section 14(5)(F), "multiple-serving" was changed to "multiple servings" for clarity; in Section 14(5)(N)(ii)(VI), "ethers, salts" was changed to "ethers and salts" for clarity; in Section 14(5)(N)(ii)(X), "sections 21a-151" was changed to "and 21a-151" for consistency with standard drafting conventions; and in Section 14(17), "black and white shall not" was changed to "neither black nor white shall" for clarity.

GL *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Consumer Protection, Dept.	GF - Cost	182,781 to 365,562	183,063 to 366,126
State Comptroller - Fringe Benefits ¹	GF - Cost	73,343 to 146,685	75,176 to 150,352
Healthcare Advocate, Off.	IF - Cost	At least 179,063	At least 244,345
Labor Dept.	GF - Cost	Up to 250,000	Up to 100,000
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below
Department of Revenue Services	Various - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund; IF=Insurance Fund; Various=Various

Municipal Impact:

Municipalities	Effect	FY 24 \$	FY 25 \$
Various Municipalities	Potential Revenue Gain	See Below	See Below

Explanation

The bill makes various changes to the recreational cannabis market resulting in the various costs and revenue gains described below.

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

Section 2 allows cannabis retailer and hybrid retailers to apply for an off-site event permit resulting in a cost to the Department of Consumer Protection (DCP) of \$182,781-\$365,562 in FY 24 and \$183,063-\$366,126 in FY 25, along with fringe benefit costs of \$73,343-\$146,685 in FY 24 and \$75,176-\$150,352 in FY 25. To meet the requirements of the bill DCP will have to hire two to four additional employees depending on the number of permits requested. There are currently 58 licensees who would be eligible to apply for this permit up to four times per year, with each permit lasting up to three days. This allows these retailers to sell their products at locations throughout the state creating a significant inspection, regulation, and investigation burden for the department.

Section 2 results in a potential revenue gain to the General Fund to the extent retailers apply for off-site event permits. This permit requires a \$500 nonrefundable fee to be submitted with each application.

Section 2 also results in a potential tax revenue gain to the state and certain municipalities by allowing the sale of retail cannabis at permitted off-site events. Any tax revenue impact would be only to the extent that there is an increase in cannabis sales rather than a shift from currently allowed transactions for cannabis.

Section 13 requires the Department of Labor (DOL) to develop a list of labor unions that are actively seeking to represent cannabis workers in the state. In order to accomplish this requirement without the loss of federal funding, DOL would need to relocate the State Board of Labor Relations (SBLR) staff to a new, fully state-funded facility along with necessary equipment.² This results in a one-time cost estimated at up to \$250,000 for relocation, lease, and equipment expenses in FY 24 and an ongoing cost of up to \$100,000 annually thereafter.³

² According to the United States Department of Labor, "federal grant funds cannot be used to support any activity or initiative that involves cannabis production or the cannabis industry." DOL is projected to administer approximately \$102.7 million and \$112.4 million in federal funds in FY 24 and FY 25, respectively.

³ Other Expenses for the SBLR totaled \$91,796 in FY 22.

Sections 15-16 require the Office of the Healthcare Advocate (OHA) to designate an employee with specialized expertise and experience to serve as the Cannabis Ombudsman. Due to the lack of such expertise at OHA and the anticipated workload of the Cannabis Ombudsman under the bill, these sections result in a cost to OHA of at least \$179,063 in FY 24 and \$244,345 in FY 25, and annually thereafter, to hire at least one new staff to start on October 1, 2023.

The estimate reflects the cost for an Ombudsman with a starting annual salary of \$110,000, with corresponding fringe benefits of \$113,751, as well as other expenses and indirect overhead costs totaling \$15,000 annually.⁴ The costs in FY 24 reflect nine months of employment to adjust for the effective date of the bill.

Section 17 establishes a task force to study the impact of allowing individuals who cultivate cannabis in their homes, sell their product at organized events resulting in no fiscal impact to the state because the task force has the expertise to meet the requirements of the bill.

The bill also makes various technical and conforming changes to recreational cannabis statutes that are not anticipated to result in a fiscal impact to the state or municipalities.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of permits applied for, state employee wages and benefits, and inflation.

⁴ The fringe benefit costs for employees funded out of other appropriated funds are budgeted within the fringe benefit account of those funds, as opposed to the fringe benefit accounts within the Office of the State Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes for other appropriated fund employees is 103.41% of payroll in FY 24.

OLR Bill Analysis**sHB 6699****AN ACT CONCERNING CANNABIS REGULATION.**

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SUMMARY§§ 1, 4, 5 & 8 — CANNABIS DEFINITIONS

Expands the definition of cannabis flower to include the flower being chopped or ground and requires that certain cannabis products contain at least one other ingredient

§§ 1-3, 6-7 & 11-12 — OFF-SITE EVENT PERMITS

Establishes an off-site event permit for a retailer or hybrid retailer to sell adult-use cannabis to consumers at locations other than their premises

§ 9 — PRODUCT PACKAGER

(1) Specifies that product packagers must use their own employees or a transporter when obtaining cannabis from certain cannabis establishments and (2) modifies where packagers may transport cannabis

§ 10 — DELIVERY SERVICES

Limits the requirement that delivery services only use full-time employees to those with 12 or more individuals, but specifies that they must still enter into a labor peace agreement with a bona fide labor organization

§ 11 — LABORATORY LICENSE AND REGISTRATION DENIALS

Adds laboratory licenses and off-site event permits to the list of credentials for which certain applicants must wait one year before reapplying

§ 13 — BONA FIDE LABOR ORGANIZATIONS

Makes DOL responsible for determining whether a labor organization is bona fide; adds to the factors that must be considered for this determination

§ 14 — PROVIDING POLICIES AND PROCEDURES TO LICENSEES AND APPLICANTS

Requires the DCP commissioner to provide, to each cannabis licensee and applicant, policies and procedures issued to carry out RERACA's purposes and protect public health and safety

§§ 1 & 14 — LABELING AND PACKAGING

Adds additional labeling and packaging requirements, including requiring that packages be child-, tamper-, and light-resistant; limiting the package's colors; prohibiting packaging from being similar to products that do not contain cannabis; and having additional warnings

§§ 15 & 16 — CANNABIS OMBUDSMAN

Requires the state healthcare advocate to designate an employee by October 1, 2023, to serve as the cannabis ombudsman to, among other things, represent the interests of qualifying medical marijuana patients and caregivers

§ 17 — TASK FORCE

Establishes a task force to study the potential health, safety, and financial impact of allowing individuals who cultivate cannabis in their residences to sell, at retail, the cannabis at events

SUMMARY

This bill makes various changes to the Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA). Among other things, the bill:

1. expands the definition of cannabis flower to include the flower being chopped or ground and requires that cannabis products contain at least one other ingredient;
2. establishes an off-site event permit for a retailer or hybrid retailer to sell adult-use cannabis to consumers at locations other than their premises;
3. makes the Department of Labor (DOL) responsible for determining whether a bona fide labor organization is actively seeking to represent Connecticut cannabis workers;
4. adds more labeling and packaging requirements, including requiring that packages be child-, tamper-, and light-resistant; limiting the package's colors; prohibiting packaging from being similar to products that do not contain cannabis; and adding more warnings;
5. requires, the state healthcare advocate to designate an employee by October 1, 2023, to serve as the cannabis ombudsman to, among other things, represent the interests of qualifying medical marijuana patients and caregivers;
6. establishes a task force to study the potential health, safety, and financial impact of allowing individuals who cultivate cannabis in their residences to sell, at retail, the cannabis at events; and

7. makes various other minor, technical, and conforming changes.

EFFECTIVE DATE: July 1, 2023, except the cannabis ombudsman and task force provisions are effective upon passage.

§§ 1, 4, 5 & 8 — CANNABIS DEFINITIONS

Expands the definition of cannabis flower to include the flower being chopped or ground and requires that certain cannabis products contain at least one other ingredient

The bill modifies certain definitions under RERACA, including expanding “cannabis flower” to include the flower being chopped or ground and requiring that “cannabis products” contain at least one other ingredient.

Under current law, a “cannabis flower” is the flower of a plant of the genus cannabis (including abnormal and immature flowers) that has been harvested, dried, and cured, and before it is processed and transformed into a cannabis product, but not including the plant’s leaves or stem. The bill expands the definition by requiring only one specified action (e.g., harvested, dried, or cured under current law), rather than all of them. It also expands the list of actions to include the flower of the plant that has been chopped or ground.

Under current law, a “cannabis product” includes cannabis in the form of a product that contains cannabis, which may be combined with other ingredients, and is intended for use or consumption. The bill instead defines the product as containing cannabis and at least one other ingredient. It also narrows an exclusion from the “cannabis product” definition by excluding cannabis flower rather than the raw cannabis plant as under current law.

The bill also adds a definition of “edible cannabis product” (see §§ 1 & 14 below) and makes conforming changes (§§ 4, 5 & 8).

§§ 1-3, 6-7 & 11-12 — OFF-SITE EVENT PERMITS

Establishes an off-site event permit for a retailer or hybrid retailer to sell adult-use cannabis to consumers at locations other than their premises

The bill allows DCP to issue an off-site event permit to a retailer or hybrid retailer (i.e., someone that sells cannabis and medical marijuana products) to sell cannabis, other than medical marijuana products, to consumers at an event held in Connecticut at a location other than their premises. The bill prohibits a retailer or hybrid retailer from selling cannabis at an off-site event to any individual who is acting in his or her capacity as a medical marijuana qualifying patient or caregiver (§§ 2, 6 & 7).

Each DCP-issued permit is nonrenewable and is effective for up to three consecutive days. Under the bill, retailers and hybrid retailers may not (1) receive more than four off-site event permits during any calendar year, (2) engage in or operate more than one off-site event on any day, or (3) sell cannabis in an off-site event unless it has obtained a DCP permit.

The bill also makes conforming changes (§ 12).

Attestation and Affirmation (§ 2(b))

The bill requires each retailer or hybrid retailer seeking a permit to attest and affirm that (1) it has received, or will receive, all municipal approvals required to engage in off-site event sales before making sales, and (2) the off-site event is not located in a municipality that has prohibited off-site sales of cannabis. It requires DCP, without further proceedings, to immediately and summarily revoke any permit if the retailer or hybrid retailer engages in off-site event sales without having first obtained all required municipal approvals. The bill prohibits retailers and hybrid retailers from applying for an off-site event permit for one year from the revocation date.

Written Policy (§ 2(l))

The bill requires a retailer or hybrid retailer, before submitting an application, to establish written policies specific to off-site events in order to prevent diversion and misuse of cannabis and cannabis sales to underage individuals.

Application (§ 2(d))

The bill requires retailers and hybrid retailers seeking a permit to

apply to DCP as the commissioner prescribes. The application must include:

1. the retailer or hybrid retailer's name and address as they appear on the license most recently obtained from DCP;
2. the required attestation and affirmation (see above);
3. certain information about the off-site event, including the organizer's name and address and the event's date, time, and location;
4. a statement signed by the retailer or hybrid retailer certifying certain information (see below); and
5. any other information the DCP commissioner deems necessary.

Statement. As part of the application, a retailer or hybrid retailer must sign a statement certifying that during the event it will adhere to:

1. the retailer's or hybrid retailer's written policies for preventing diversion and misuse of cannabis and cannabis sales to underage individuals;
2. the prohibition on off-site sales of medical marijuana products;
3. the requirement that at least 90% of the audience at the off-site event is reasonably expected to be age 21 or older; and
4. all other security requirements DCP sets for off-site events based on license type.

In the signed statement, the retailer or hybrid retailer must also certify that the organizer has submitted a notice to the applicable municipality's chief elected official disclosing:

1. the application's required information about the off-site event (i.e., organizer name and address and event location and time);

2. that the retailer or hybrid retailer intends to sell cannabis to consumers at the event; and
3. that the organizer has received, or will receive prior to engaging in off-site event sales, all approvals required under local zoning regulations.

Application Fee (§ 2(e))

The bill establishes a \$500 nonrefundable application fee for event permits. Fee revenue must be deposited in the General Fund.

Municipal Authority (§ 2(f))

The bill allows municipalities to:

1. prohibit off-site event cannabis sales;
2. establish reasonable restrictions on allowable hours and signage for cannabis sales under the off-site event permit; or
3. set restrictions on the proximity of cannabis sales under the off-site event permit to public or parochial schools, charitable institutions, hospitals, veterans' homes, or certain military establishments or religious institutions.

Under the bill, municipalities may take these steps by local ordinance or amendment to their zoning regulations. If a municipality adopts an amendment or ordinance, its chief zoning official must report the adoption to the DCP commissioner and Office of Policy and Management secretary within 14 days after it occurs, as the commissioner prescribes.

The bill prohibits a municipality from imposing a fee for filing an application or issuing a permit under the bill's offsite event provisions.

Regulations and Policies and Procedures (§ 2(g))

The bill requires the DCP commissioner to adopt regulations to

implement the off-site event provisions. Regardless of the Uniform Administrative Procedure Act's (UAPA) notice requirements for amending regulations the commissioner must, before adopting these regulations and in order to effectuate RERACA's purposes and protect public health and safety, issue policies and procedures to implement the off-site event provisions. These policies and procedures have the force and effect of law.

At least 15 days before the policies and procedures take effect, the bill requires the commissioner to post them on DCP's website and submit them to the secretary of the state (SOTS) to be posted on the eRegulations system. The policies and procedures are effective until the earlier of a final regulation being adopted or June 30, 2027, if the regulations have not been submitted to the Regulation Review Committee.

The bill requires that the regulations, policies, and procedures include provisions on (1) securely transporting products, (2) seed-to-sale tracking requirements, (3) consumer transaction and off-site inventory limits, (4) off-site location security requirements to protect against cannabis diversion and underage individuals' access to cannabis, and (5) off-site event advertising restrictions.

Law Enforcement Use of Resources (§ 3)

The bill extends, to offsite events for which a permit is issued, existing law's limitations on the use of law enforcement resources for cannabis-related matters. Existing law prohibits, under certain circumstances, law enforcement officers employed by an agency that receives state or local government funds from spending resources, including an officer's time, to (1) make a cannabis arrest or seizure or conduct an investigation or (2) give information or logistical support to a federal law enforcement authority or prosecuting entity. These actions are prohibited if (1) they are solely based on an activity that the officer believes constitutes a federal law violation and (2) the officer has a reasonable belief that the activity complies with the law's recreational cannabis licensure provisions or medical marijuana laws.

DCP Disciplinary Actions (§ 11)

The bill extends certain DCP cannabis disciplinary authority to off-site event permittees. Among other things, it allows the DCP commissioner, for sufficient cause, to suspend or revoke a permit, issue fines of up to \$25,000 per violation, accept an offer in compromise, or refuse to grant a permit.

Under the bill, sufficient cause consists of failing to cooperate or give information to DCP, local law enforcement authorities, or any other enforcement agency on any matter arising out of conduct in connection with an off-site event the permittee conducts.

As under current law, the bill requires the DCP commissioner to notify an applicant upon refusing to issue a permit. The notice must also include the applicant's right to request a hearing within 10 days of receiving the notice. If the applicant requests a hearing within this period, the commissioner must (1) give notice of the grounds for the refusal and (2) conduct a hearing on the refusal under the UAPA's procedures for contested cases.

Under the bill, the voluntary surrender of a permit does not prevent the commissioner from suspending or revoking the permit or imposing other penalties the cannabis law allows.

Exemption (§ 12)

The bill adds the authorized activities under the off-site event permits to the exemption from state law's general prohibition on manufacturing, distributing, selling, prescribing, dispensing, compounding, transporting with the intent to sell or dispense, possessing with the intent to sell or dispense, offering, giving, or administering to another person cannabis or cannabis products.

§ 9 — PRODUCT PACKAGER

(1) Specifies that product packagers must use their own employees or a transporter when obtaining cannabis from certain cannabis establishments and (2) modifies where packagers may transport cannabis

The bill specifies that a product packager must use its own employees or a transporter when obtaining cannabis from a producer, cultivator, micro-cultivator, food and beverage manufacturer, or product manufacturer. (A transporter is a person licensed to transport cannabis between cannabis establishments, laboratories, and research programs.)

Current law allows a product packager to sell, transfer, or transport cannabis to any cannabis establishment, laboratory, or research program if the packager only transports cannabis packaged at its own establishment and uses its own employees or a transporter. The bill allows the packager to perform these actions (1) to and from these places and (2) for a laboratory only for testing.

§ 10 — DELIVERY SERVICES

Limits the requirement that delivery services only use full-time employees to those with 12 or more individuals, but specifies that they must still enter into a labor peace agreement with a bona fide labor organization

Current law requires a delivery service to use full-time employees (i.e., those who work at least 35 hours a week) to deliver cannabis. The bill limits this requirement only to services that employ at least 12 individuals to deliver cannabis. By law and unchanged by the bill, these employees must be registered with DCP, and a service may not employ more than 25 delivery employees at a time.

The bill specifies that none of its delivery services provisions excuse a service from the requirement that it enter into a labor peace agreement with a bona fide labor organization (see § 13 below).

§ 11 — LABORATORY LICENSE AND REGISTRATION DENIALS

Adds laboratory licenses and off-site event permits to the list of credentials for which certain applicants must wait one year before reapplying

Under current law, if the DCP commissioner denies a cannabis license or registration and the denial is sustained after a hearing, an applicant may not, for one year after the denial, apply for a cannabis establishment, backer, or key employee license or an employee registration. The bill also prohibits the applicant from applying for a laboratory license or off-site event permit for one year.

§ 13 — BONA FIDE LABOR ORGANIZATIONS

Makes DOL responsible for determining whether a labor organization is bona fide; adds to the factors that must be considered for this determination

By law, each provisional cannabis establishment licensee, as a condition of its final license approval, license conversion, or approval for expanded authorization, must enter into a labor peace agreement with a “bona fide labor organization.”

Under current law, a bona fide labor organization is a labor union that (1) represents employees in this state regarding wages, hours, and working conditions; (2) has officers who were elected by a secret ballot or in another way consistent with federal law; (3) is free of any employer domination or interference and has not received any improper assistance or support from the employer; and (4) is actively seeking to represent cannabis workers in the state.

The bill instead defines a bona fide labor organization as one that DOL determines is actively seeking to represent cannabis workers in the state and requires DOL to develop a list of labor unions that are doing so. In making this determination, DOL must consider several factors as being indicative, but not determinative. These include the same three factors specified in current law (e.g., officers elected by secret ballot, see above). Additionally, DOL must consider whether the labor union:

1. has been recognized or certified as the bargaining representative for Connecticut cannabis employees;
2. has executed one or more current collective bargaining agreements with cannabis employers in the state;
3. has spent resources as part of one or more current and active attempts to organize and represent cannabis workers in the state;
4. for the three years immediately preceding DOL’s consideration of the labor union, has (a) filed the annual report with the U.S. Department of Labor required under federal law (29 U.S.C. §

- 431(b)), (b) audited financial reports covering that time period, and (c) been governed by a written constitution or bylaws; and
5. is affiliated with regional or national associations of unions, including, but not limited to, central labor councils.

A “labor peace agreement” means an agreement between a cannabis establishment and a bona fide labor organization (1) under which the establishment’s owners and managers agree not to lock out employees and (2) prohibiting the labor organization from engaging in picketing, work stoppages, or boycotts against the cannabis establishment. Among other things, it must include a clause requiring binding arbitration by a neutral arbitrator as the exclusive remedy for any violation of the agreement.

§ 14 — PROVIDING POLICIES AND PROCEDURES TO LICENSEES AND APPLICANTS

Requires the DCP commissioner to provide, to each cannabis licensee and applicant, policies and procedures issued to carry out RERACA’s purposes and protect public health and safety

By law, the DCP commissioner must adopt regulations to carry out RERACA’s purposes and protect public health and safety. The law requires the commissioner to issue policies and procedures to implement RERACA before the regulations are adopted. And she must post the policies and procedures on the DCP website and submit them to SOTS for posting on the eRegulations System.

The bill requires the commissioner to also provide the policies and procedures, as she prescribes, to each licensee and applicant for a cannabis license.

§§ 1 & 14 — LABELING AND PACKAGING

Adds additional labeling and packaging requirements, including requiring that packages be child-, tamper-, and light-resistant; limiting the package’s colors; prohibiting packaging from being similar to products that do not contain cannabis; and having additional warnings

Under existing law, the regulations that the commissioner must adopt (see above) must include specified labeling and packaging requirements for cannabis. The bill modifies one of these requirements

and adds multiple new requirements, as described below.

Labeling and Packaging Requirements

Universal Symbol. Under current law, DCP's regulations must (1) require that cannabis labeling and packaging include a universal symbol to indicate that a product contains cannabis and (2) prescribe how the product and packaging must use and exhibit the symbol. The bill specifically requires that the labeling and packaging indicate the cannabis or cannabis product contains THC and is not legal or safe for individuals younger than age 21.

Resistance and Sealing. Existing law requires that the packaging be child-resistant, including a requirement that an edible product be individually wrapped. The bill also (1) requires that the packaging be tamper-resistant and light-resistant and (2) specifies how each of these requirements must be met.

Under the bill, a package is deemed to be:

1. child-resistant if it satisfies the federal standard for special packaging, which means designed or constructed to be significantly difficult for children under age five to open within a reasonable time, but not difficult for normal adults to use (16 C.F.R. § 1700.1(b)(4));
2. tamper-resistant if the packaging has at least one barrier to, or indicator of, entry that would prevent its contents from being accessed or adulterated without indicating to a reasonable person that it had been breached; and
3. light-resistant if the packaging is entirely and uniformly opaque and protects all of its contents from the effects of light.

The bill also requires:

1. that packaging for cannabis intended for multiple-servings be

resealable in a way that makes it continuously child-resistant and preserves the integrity of its contents, and

2. impervious packaging that protects the contents from contamination and exposure to any toxic or harmful substance, including any glue or other adhesive or substance incorporated in the packaging.

Cannabis Content-Related Information

Potency and Chemotypes. The bill requires that the labeling and packaging for any cannabis concentrate cannabis product whose total THC percentage exceeds 30% include a warning that the product has high potency and may increase the risk of psychosis.

The bill also requires information about chemotypes (i.e., chemically distinct composition differences), which must be displayed as follows:

1. “High THC, Low CBD” where the THC to CBD ratio is greater than five to one and the total THC percentage is at least 15%;
2. “Moderate THC, Moderate CBD” where the ratio of THC to CBD is at least one to five, but not greater than five to one and the total THC percentage is between 5% and 15%;
3. “Low THC, High CBD” where the ratio of THC to CBD is less than one to five and the total THC percentage is less than 5%; or
4. the chemotype described above that most closely fits the cannabis or cannabis product, as determined by mathematical analysis of the ratio of THC to CBD.

Unique Identifier. The bill requires that the cannabis packaging be clearly labeled with a unique identifier before being sold and transferred to a consumer or a qualifying medical marijuana patient or caregiver. The identifier must be (1) printed directly on the package or affixed on a separate label, other than an extended content label and (2) generated by a cannabis analytic tracking system DCP maintains and uses to track cannabis under the policies, procedures, and regulations.

Package Contents. Under the bill, the package must include the following information on the cannabis contained in the packaging. The information must be in legible English, black lettering, Times New Roman font, flat regular typeface, on a contrasting background, and in uniform size of not less than one-tenth of one inch, based on a capital letter “K.” The following information must also be available on the cannabis establishment’s website:

1. the cannabis name, as registered with DCP under the policies, procedures, and regulations;
2. the expiration date, which must not account for any refrigeration after the cannabis is sold and transferred to the consumer, qualifying patient, or caregiver;
3. the net weight or volume, expressed in metric and imperial units;
4. the standardized serving size, expressed in customary units, and the number of servings included, if applicable;
5. directions for use and storage;
6. each active ingredient, expressed in metric units and as a percentage of volume, comprising at least 1% of the cannabis, including cannabinoids; isomers; esters; ethers; salts and salts of isomers, esters and ethers;
7. a list of all known allergens, as identified by the federal Food and Drug Administration (FDA), contained in the cannabis, or the denotation “no known FDA identified allergens” if it does not contain any FDA-identified allergen;
8. the following warning statement within, and outlined by, a red box:

“This product is not FDA-approved, may be intoxicating, cause long-term physical and mental health problems, and have delayed side effects. It is illegal to operate a vehicle or machinery

under the influence of cannabis. Keep away from children.”;

9. at least one of the following warning statements, rotated quarterly on an alternating basis:

“Warning: Frequent and prolonged use of cannabis can contribute to mental health problems over time, including anxiety, depression, stunted brain development and impaired memory.”

“Warning: Consumption while pregnant or breastfeeding may be harmful.”

“Warning: Cannabis has intoxicating effects and may be habit-forming and addictive.”

“Warning: Consuming more than the recommended amount may result in adverse effects requiring medical attention.”;

10. all information necessary to comply with labeling requirements imposed under state or federal law, including the state Uniform Food, Drug and Cosmetic Act (CGS §§ 21a-91 to 21a-120), state Bakeries, Food Manufacturing Establishments and Food Warehouses law (CGS §§ 21a-151 to 21a-159), the federal Food, Drug and Cosmetic Act (21 U.S.C. § 301 et seq.), and the federal Fair Packaging and Labeling Act (15 U.S.C. § 1451 et seq.) for similar products that do not contain cannabis; and
11. any additional warning labels for certain cannabis products as the commissioner may require and post on DCP’s website.

Visual Requirements

The bill requires that the policies, procedures, and regulations prohibit packaging that is (1) visually similar to any commercially similar product that does not contain cannabis, or (2) used for any good that is marketed to individuals reasonably expected to be under age 21.

The regulations, policies, and procedures must allow cannabis

packaging to include a picture of the cannabis plant and contain a logo of one cannabis establishment. The logo may be comprised of up to three colors besides black and white. The packaging must be entirely and uniformly one color and must not incorporate any information, print, embossing, debossing, graphic, or hidden feature, other than any permitted or required label.

For edible cannabis products, the bill (1) requires that the packaging be entirely and uniformly white and (2) specifies that white and black are considered colors for packaging purposes.

Under the bill, for the purposes of RERACA, “edible cannabis product” means a cannabis product, including a liquid, which may be combined with other ingredients and is intended for human consumption but does not include raw cannabis plant material. Under existing law, the commissioner’s policies, procedures, and regulations must generally limit the standard serving of an edible cannabis product (other than a medical marijuana product) to five milligrams of THC.

§§ 15 & 16 — CANNABIS OMBUDSMAN

Requires the state healthcare advocate to designate an employee by October 1, 2023, to serve as the cannabis ombudsman to, among other things, represent the interests of qualifying medical marijuana patients and caregivers

The bill requires the healthcare advocate to designate an employee by October 1, 2023, to serve as the cannabis ombudsman. The ombudsman must be qualified by training and experience to perform the duties the bill requires and have expertise and experience with the palliative use of marijuana.

The ombudsman must:

1. represent the interests of qualifying patients and caregivers and identify, investigate, and resolve complaints made by them or on their behalf;
2. monitor the palliative use of marijuana as allowed under the medical marijuana laws;

3. report actions, inactions, or decisions that may adversely affect qualifying patients' health, safety, welfare, or rights;
4. analyze, comment on, and monitor the development and implementation of federal, state, and local laws, regulations, and other government policies and actions concerning qualifying patients' and caregivers' health, safety, welfare, and rights and facilitate public comment on them; and
5. recommend any changes to the laws, regulations, policies, and actions described above that the ombudsman deems appropriate to, among other things, improve the state's palliative marijuana market.

§ 17 — TASK FORCE

Establishes a task force to study the potential health, safety, and financial impact of allowing individuals who cultivate cannabis in their residences to sell, at retail, the cannabis at events

The bill establishes a 13-member task force to study the potential health, safety, and financial impact of allowing individuals who are authorized to cultivate cannabis in their residences to sell, at retail, the cannabis at events organized, at least in part, to facilitate the sales. The task force must (1) examine the impact that the sales would likely have on the state, including the impact on residents and existing medical and recreational cannabis markets, and (2) if the task force recommends that the state authorize these sales, recommend any legislation needed to authorize and regulate the sales.

Under the bill, the House speaker, Senate president pro tempore, and governor each must appoint two members and the House and Senate majority and minority leaders each must appoint one. Additionally, the DCP, public health, and mental health and addiction services commissioners or their designees serve as ex-officio members. The legislative appointments may be legislators. All initial task force appointments must be made within 30 days after the bill's passage. The appointing authority must fill any vacancy.

The bill requires the House speaker and Senate president pro tempore to select the chairpersons, who must schedule the first task force meeting within 60 days after the bill passes. Under the bill, the General Law Committee’s administrative staff must serve as the task force’s administrative staff.

By January 1, 2024, the task force must submit a report on its findings and recommendations to the General Law Committee. The task force terminates on the date it submits the report or January 1, 2024, whichever is later.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 18 Nay 4 (03/07/2023)