



General Assembly

January Session, 2023

Raised Bill No. 6697

LCO No. 4402



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING CANNABIS REGULATION.

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

1 Section 1. Section 21a-240 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 The following words and phrases, as used in this chapter, shall have
4 the following meanings, unless the context otherwise requires:

5 (1) "Abuse of drugs" means the use of controlled substances solely for
6 their stimulant, depressant or hallucinogenic effect upon the higher
7 functions of the central nervous system and not as a therapeutic agent
8 prescribed in the course of medical treatment or in a program of
9 research operated under the direction of a physician or pharmacologist.
10 []

11 (2) "Administer" means the direct application of a controlled
12 substance, whether by injection, inhalation, ingestion or any other
13 means, to the body of a patient or research subject by: (A) A practitioner,

14 or, in [his] the practitioner's presence, by [his] the practitioner's
15 authorized agent, or (B) the patient or research subject at the direction
16 and in the presence of the practitioner, or (C) a nurse or intern under the
17 direction and supervision of a practitioner. [;]

18 (3) "Agent" means an authorized person who acts on behalf of or at
19 the direction of a manufacturer, distributor, dispenser or prescribing
20 practitioner. [It] but does not [include] mean a common or contract
21 carrier, public warehouseman, or employee of the carrier or
22 warehouseman. [;]

23 (4) "Amphetamine-type substances" include amphetamine, optical
24 isomers thereof, salts of amphetamine and its isomers, and chemical
25 compounds which are similar thereto in chemical structure or which are
26 similar thereto in physiological effect, and which show a like potential
27 for abuse, which are controlled substances under this chapter unless
28 modified. [;]

29 (5) "Barbiturate-type drugs" include barbituric acid and its salts,
30 derivatives thereof and chemical compounds which are similar thereto
31 in chemical structure or which are similar thereto in physiological effect,
32 and which show a like potential for abuse, which are controlled
33 substances under this chapter unless modified. [;]

34 (6) "Bureau" means the Bureau of Narcotics and Dangerous Drugs,
35 United States Department of Justice, or its successor agency. [;]

36 [(7) "Cannabis-type substances" include all parts of any plant, or
37 species of the genus cannabis or any infra specific taxon thereof whether
38 growing or not; the seeds thereof; the resin extracted from any part of
39 such a plant; and every compound, manufacture, salt, derivative,
40 mixture or preparation of such plant, its seeds or resin; but shall not
41 include the mature stalks of such plant, fiber produced from such stalks,
42 oil or cake made from the seeds of such plant, any other compound,
43 manufacture, salt, derivative, mixture or preparation of such mature
44 stalks, except the resin extracted therefrom, fiber, oil or cake, the
45 sterilized seed of such plant which is incapable of germination, or hemp,

46 as defined in 7 USC 1639o, as amended from time to time. Included are
47 cannabimon, cannabimol, cannabidiol and chemical compounds which
48 are similar to cannabimon, cannabimol or cannabidiol in chemical
49 structure or which are similar thereto in physiological effect, and which
50 show a like potential for abuse, which are controlled substances under
51 this chapter unless derived from hemp, as defined in section 22-61l;]

52 [(8)] (7) "Controlled drugs" are those drugs which contain any
53 quantity of a substance which has been designated as subject to the
54 federal Controlled Substances Act, or which has been designated as a
55 depressant or stimulant drug pursuant to federal food and drug laws,
56 or which has been designated by the Commissioner of Consumer
57 Protection pursuant to section 21a-243, as having a stimulant,
58 depressant or hallucinogenic effect upon the higher functions of the
59 central nervous system and as having a tendency to promote abuse or
60 psychological or physiological dependence, or both. Such controlled
61 drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-
62 type, cocaine-type, hallucinogenic, morphine-type and other stimulant
63 and depressant drugs. Specifically excluded from controlled drugs and
64 controlled substances are alcohol, nicotine and caffeine. [;]

65 [(9)] (8) "Controlled substance" means a drug, substance, or
66 immediate precursor in schedules I to V, inclusive, of the Connecticut
67 controlled substance scheduling regulations adopted pursuant to
68 section 21a-243. [;]

69 [(10)] (9) "Counterfeit substance" means a controlled substance
70 which, or the container or labeling of which, without authorization,
71 bears the trademark, trade name or other identifying mark, imprint,
72 number or device, or any likeness thereof, of a manufacturer, distributor
73 or dispenser other than the person who in fact manufactured,
74 distributed or dispensed the substance. [;]

75 [(11)] (10) "Deliver or delivery" means the actual, constructive or
76 attempted transfer from one person to another of a controlled substance,
77 whether or not there is an agency relationship. [;]

78 [(12)] (11) "Dentist" means a person authorized by law to practice
79 dentistry in this state. [;]

80 [(13)] (12) "Dispense" means to deliver a controlled substance to an
81 ultimate user or research subject by or pursuant to the lawful order of a
82 practitioner, including the prescribing, administering, packaging,
83 labeling or compounding necessary to prepare the substance for the
84 delivery. [;]

85 [(14)] (13) "Dispenser" means a practitioner who dispenses. [;]

86 [(15)] (14) "Distribute" means to deliver other than by administering
87 or dispensing a controlled substance. [;]

88 [(16)] (15) "Distributor" means a person who distributes and includes
89 a wholesaler who is a person supplying or distributing controlled drugs
90 which [he himself] the person personally has not produced or prepared
91 to hospitals, clinics, practitioners, pharmacies, other wholesalers,
92 manufacturers and federal, state and municipal agencies. [;]

93 [(17)] (16) "Drug" means (A) substances recognized as drugs in the
94 official United States Pharmacopoeia, official Homeopathic
95 Pharmacopoeia of the United States, or official National Formulary, or
96 any supplement to any of them; (B) substances intended for use in the
97 diagnosis, cure, mitigation, treatment or prevention of disease in man
98 or animals; (C) substances, other than food, intended to affect the
99 structure or any function of the body of man or animals; and (D)
100 substances intended for use as a component of any article specified in
101 subparagraph (A), (B) or (C) of this subdivision. It does not include
102 devices or their components, parts or accessories. [;]

103 [(18)] (17) "Drug dependence" means a psychoactive substance
104 dependence on drugs as that condition is defined in the most recent
105 edition of the "Diagnostic and Statistical Manual of Mental Disorders"
106 of the American Psychiatric Association. [;]

107 [(19)] (18) "Drug-dependent person" means a person who has a

108 psychoactive substance dependence on drugs as that condition is
109 defined in the most recent edition of the "Diagnostic and Statistical
110 Manual of Mental Disorders" of the American Psychiatric Association,
111 [.]

112 [(20)] (19) (A) "Drug paraphernalia" means equipment, products and
113 materials of any kind that are used, intended for use or designed for use
114 in planting, propagating, cultivating, growing, harvesting,
115 manufacturing, compounding, converting, producing, processing,
116 preparing, testing, analyzing, packaging, repackaging, storing,
117 containing or concealing, or ingesting, inhaling or otherwise
118 introducing into the human body, any controlled substance contrary to
119 the provisions of this chapter including, but not limited to: (i) Kits
120 intended for use or designed for use in planting, propagating,
121 cultivating, growing or harvesting of any species of plant that is a
122 controlled substance or from which a controlled substance can be
123 derived; (ii) kits used, intended for use or designed for use in
124 manufacturing, compounding, converting, producing, processing or
125 preparing controlled substances; (iii) isomerization devices used or
126 intended for use in increasing the potency of any species of plant that is
127 a controlled substance; (iv) testing equipment used, intended for use or
128 designed for use in identifying or analyzing the strength, effectiveness
129 or purity of controlled substances; (v) dilutents and adulterants,
130 including, but not limited to, quinine hydrochloride, mannitol, mannite,
131 dextrose and lactose used, intended for use or designed for use in
132 cutting controlled substances; (vi) separation gins and sifters used,
133 intended for use or designed for use in removing twigs and seeds from,
134 or in otherwise cleaning or refining, marijuana; (vii) capsules and other
135 containers used, intended for use or designed for use in packaging small
136 quantities of controlled substances; (viii) containers and other objects
137 used, intended for use or designed for use in storing or concealing
138 controlled substances; and (ix) objects used, intended for use or
139 designed for use in ingesting, inhaling, or otherwise introducing
140 marijuana, cocaine, hashish, or hashish oil into the human body,
141 including, but not limited to, wooden, acrylic, glass, stone, plastic or

142 ceramic pipes with screens, permanent screens, hashish heads or
143 punctured metal bowls; water pipes; carburetion tubes and devices;
144 smoking and carburetion masks; roach clips; miniature cocaine spoons
145 and cocaine vials; chamber pipes; carburetor pipes; electric pipes; air-
146 driven pipes; chillums; bongs; ice pipes and chillers. "Drug
147 paraphernalia" does not include a product used by a manufacturer
148 licensed pursuant to this chapter for the activities permitted under the
149 license or by an individual to test any substance prior to injection,
150 inhalation or ingestion of the substance to prevent accidental overdose
151 by injection, inhalation or ingestion of the substance, provided the
152 licensed manufacturer or individual is not using the product to engage
153 in the unlicensed manufacturing or distribution of controlled
154 substances. As used in this subdivision, "roach clip" means an object
155 used to hold burning material, including, but not limited to, a marijuana
156 cigarette, that has become too small or too short to be held between the
157 fingers. [;]

158 (B) "Factory" means any place used for the manufacturing, mixing,
159 compounding, refining, processing, packaging, distributing, storing,
160 keeping, holding, administering or assembling illegal substances
161 contrary to the provisions of this chapter, or any building, rooms or
162 location which contains equipment or paraphernalia used for this
163 purpose. [;]

164 [(21)] (20) "Federal Controlled Substances Act, 21 USC 801 et seq."
165 means Public Law 91-513, the Comprehensive Drug Abuse Prevention
166 and Control Act of 1970. [;]

167 [(22)] (21) "Federal food and drug laws" means the federal Food, Drug
168 and Cosmetic Act, as amended, Title 21 USC 301 et seq. [;]

169 [(23)] (22) "Hallucinogenic substances" are psychodysleptic
170 substances, other than [cannabis-type substances] marijuana, which
171 assert a confusional or disorganizing effect upon mental processes or
172 behavior and mimic acute psychotic disturbances. Exemplary of such
173 drugs are mescaline, peyote, psilocyn and d-lysergic acid diethylamide,

174 which are controlled substances under this chapter unless modified. [;]

175 (23) "High-THC hemp product" means a manufacturer hemp
176 product, as defined in section 22-61l, as amended by this act, that has a
177 THC concentration or serving size limit, or is advertised, labeled or
178 offered for sale as having a total THC concentration or serving size limit,
179 that exceeds (A) for a hemp edible, hemp topical or hemp transdermal
180 patch (i) one milligram on a per serving basis, (ii) five milligrams on a
181 per container basis, or (iii) three-tenths per cent on a dry-weight basis,
182 (B) for a hemp tincture, including, but not limited to, oil intended for
183 ingestion by swallowing or sublingual absorption (i) twenty-five
184 milligrams on a per container basis, or (ii) three-tenths per cent on a dry-
185 weight basis, (C) for a hemp concentrate or extract, including, but not
186 limited to, a vape oil, wax or shatter, three-tenths per cent on a dry-
187 weight basis, or (D) for a manufacturer hemp product not described in
188 subparagraph (A), (B) or (C) of this subdivision, (i) one milligram on a
189 per serving basis, (ii) five milligrams on a per container basis, or (iii)
190 three-tenths per cent on a dry-weight basis.

191 (24) "Hospital", as used in sections 21a-243 to 21a-283, inclusive,
192 means an institution for the care and treatment of the sick and injured,
193 approved by the Department of Public Health or the Department of
194 Mental Health and Addiction Services as proper to be entrusted with
195 the custody of controlled drugs and substances and professional use of
196 controlled drugs and substances under the direction of a licensed
197 practitioner. [;]

198 (25) "Intern" means a person who holds a degree of doctor of
199 medicine or doctor of dental surgery or medicine and whose period of
200 service has been recorded with the Department of Public Health and
201 who has been accepted and is participating in training by a hospital or
202 institution in this state. Doctors meeting the foregoing requirements and
203 commonly designated as "residents" and "fellows" shall be regarded as
204 interns for purposes of this chapter. [;]

205 (26) "Immediate precursor" means a substance which the

206 Commissioner of Consumer Protection has found to be, and by
207 regulation designates as being, the principal compound commonly used
208 or produced primarily for use, and which is an immediate chemical
209 intermediary used or likely to be used, in the manufacture of a
210 controlled substance, the control of which is necessary to prevent, curtail
211 or limit manufacture. [;]

212 (27) "Laboratory" means a laboratory approved by the Department of
213 Consumer Protection as proper to be entrusted with the custody of
214 controlled substances and the use of controlled substances for scientific
215 and medical purposes and for purposes of instruction, research or
216 analysis. [;]

217 (28) "Manufacture" means the production, preparation, cultivation,
218 growing, propagation, compounding, conversion or processing of a
219 controlled substance, either directly or indirectly by extraction from
220 substances of natural origin, or independently by means of chemical
221 synthesis, or by a combination of extraction and chemical synthesis, and
222 includes any packaging or repackaging of the substance or labeling or
223 relabeling of its container, except that this term does not include the
224 preparation or compounding of a controlled substance by an individual
225 for [his] the individual's own use or the preparation, compounding,
226 packaging or labeling of a controlled substance: (A) By a practitioner as
227 an incident to [his] the practitioner administering or dispensing of a
228 controlled substance in the course of [his] such practitioner's
229 professional practice, or (B) by a practitioner, or by [his] the
230 practitioner's authorized agent under [his] such practitioner's
231 supervision, for the purpose of, or as an incident to, research, teaching
232 or chemical analysis and not for sale. [;]

233 (29) "Marijuana" means all parts of any plant, or species of the genus
234 cannabis or any infra specific taxon thereof, whether growing or not; the
235 seeds thereof; the resin extracted from any part of the plant; every
236 compound, manufacture, salt, derivative, mixture, or preparation of
237 such plant, its seeds or resin, any [product made using hemp, as defined
238 in section 22-61l, which exceeds three-tenths per cent total THC

239 concentration on a dry-weight basis] high-THC hemp product;
240 manufactured cannabinoids, synthetic cannabinoids, except as
241 provided in subparagraph (E) of this subdivision; or cannabimon,
242 cannabimol or cannabidiol and chemical compounds which are similar
243 to cannabimon, cannabimol or cannabidiol in chemical structure or which
244 are similar thereto in physiological effect, which are controlled
245 substances under this chapter, except cannabidiol derived from hemp,
246 as defined in section 22-61l, as amended by this act, with a total THC
247 concentration of not more than three-tenths per cent on a dry-weight
248 basis. "Marijuana" does not include: (A) The mature stalks of such plant,
249 fiber produced from such stalks, oil or cake made from the seeds of such
250 plant, any other compound, manufacture, salt, derivative, mixture or
251 preparation of such mature stalks, except the resin extracted from such
252 mature stalks or fiber, oil or cake; (B) the sterilized seed of such plant
253 which is incapable of germination; (C) hemp, as defined in section 22-
254 61l, as amended by this act, (i) with a total THC concentration of not
255 more than three-tenths per cent on a dry-weight basis, and (ii) that is not
256 a high-THC hemp product; (D) any substance approved by the federal
257 Food and Drug Administration or successor agency as a drug and
258 reclassified in any schedule of controlled substances or unscheduled by
259 the federal Drug Enforcement Administration or successor agency
260 which is included in the same schedule designated by the federal Drug
261 Enforcement Administration or successor agency; or (E) synthetic
262 cannabinoids which are controlled substances that are designated by the
263 Commissioner of Consumer Protection, by whatever official, common,
264 usual, chemical or trade name designation, as controlled substances and
265 are classified in the appropriate schedule in accordance with
266 subsections (i) and (j) of section 21a-243. [;]

267 (30) "Narcotic substance" means any of the following, whether
268 produced directly or indirectly by extraction from a substance of
269 vegetable origin, or independently by means of chemical synthesis, or
270 by a combination of extraction and chemical synthesis: (A) Morphine-
271 type: (i) Opium or opiate, or any salt, compound, derivative, or
272 preparation of opium or opiate which is similar to any such substance

273 in chemical structure or which is similar to any such substance in
274 physiological effect and which shows a like potential for abuse, which
275 is a controlled substance under this chapter unless modified; (ii) any
276 salt, compound, isomer, derivative, or preparation of any such
277 substance which is chemically equivalent or identical to any substance
278 referred to in clause (i) of this subdivision, but not including the
279 isoquinoline alkaloids of opium; (iii) opium poppy or poppy straw; or
280 (iv) (I) fentanyl or any salt, compound, derivative or preparation of
281 fentanyl which is similar to any such substance in chemical structure or
282 which is similar to any such substance in physiological effect and which
283 shows a like potential for abuse, which is a controlled substance under
284 this chapter unless modified, or (II) any salt, compound, isomer,
285 derivative or preparation of any such substance which is chemically
286 equivalent or identical to any substance referred to in subclause (I) of
287 this clause; or (B) cocaine-type; coca leaves or any salt, compound,
288 derivative or preparation of coca leaves, or any salt, compound, isomer,
289 derivatives or preparation of any such substance which is chemically
290 equivalent or identical to any such substance or which is similar to any
291 such substance in physiological effect and which shows a like potential
292 for abuse, but not including decocainized coca leaves or extractions of
293 coca leaves which do not contain cocaine or ecgonine. [;]

294 (31) "Nurse" means a person performing nursing as defined in section
295 20-87a. [;]

296 (32) "Official written order" means an order for controlled substances
297 written on a form provided by the bureau for that purpose under the
298 federal Controlled Substances Act. [;]

299 (33) "Opiate" means any substance having an addiction-forming or
300 addiction-sustaining liability similar to morphine or being capable of
301 conversion into a drug having addiction-forming or addiction-
302 sustaining liability; it does not include, unless specifically designated as
303 controlled under this chapter, the dextrorotatory isomer of 3-methoxy-
304 n-methylmorphinan and its salts (dextro-methorphan) but shall include
305 its racemic and levorotatory forms. [;]

306 (34) "Opium poppy" means the plant of the species papaver
307 somniferum l., except its seed. [;]

308 (35) Repealed by P.A. 99-102, S. 51. [;]

309 (36) "Other stimulant and depressant drugs" means controlled
310 substances other than amphetamine-type, barbiturate-type, cannabis-
311 type, cocaine-type, hallucinogenics and morphine-type which are found
312 to exert a stimulant and depressant effect upon the higher functions of
313 the central nervous system and which are found to have a potential for
314 abuse and are controlled substances under this chapter. [;]

315 (37) "Person" includes any corporation, limited liability company,
316 association or partnership, or one or more individuals, government or
317 governmental subdivisions or agency, business trust, estate, trust, or
318 any other legal entity. Words importing the plural number may include
319 the singular; words importing the masculine gender may be applied to
320 females. [;]

321 (38) "Pharmacist" means a person authorized by law to practice
322 pharmacy pursuant to section 20-590, 20-591, 20-592 or 20-593. [;]

323 (39) "Pharmacy" means an establishment licensed pursuant to section
324 20-594. [;]

325 (40) "Physician" means a person authorized by law to practice
326 medicine in this state pursuant to section 20-9. [;]

327 (41) "Podiatrist" means a person authorized by law to practice
328 podiatry in this state. [;]

329 (42) "Poppy straw" means all parts, except the seeds, of the opium
330 poppy, after mowing. [;]

331 (43) "Practitioner" means: (A) A physician, dentist, veterinarian,
332 podiatrist, scientific investigator or other person licensed, registered or
333 otherwise permitted to distribute, dispense, conduct research with
334 respect to or to administer a controlled substance in the course of

335 professional practice or research in this state; (B) a pharmacy, hospital
336 or other institution licensed, registered or otherwise permitted to
337 distribute, dispense, conduct research with respect to or to administer a
338 controlled substance in the course of professional practice or research in
339 this state. [;]

340 (44) "Prescribe" means order or designate a remedy or any
341 preparation containing controlled substances. [;]

342 (45) "Prescription" means a written, oral or electronic order for any
343 controlled substance or preparation from a licensed practitioner to a
344 pharmacist for a patient. [;]

345 (46) "Production" includes the manufacture, planting, cultivation,
346 growing or harvesting of a controlled substance. [;]

347 (47) "Registrant" means any person licensed by this state and
348 assigned a current federal Bureau of Narcotics and Dangerous Drug
349 Registry Number as provided under the federal Controlled Substances
350 Act. [;]

351 (48) "Registry number" means the alphabetical or numerical
352 designation of identification assigned to a person by the federal Drug
353 Enforcement Administration, or other federal agency, which is
354 commonly known as the federal registry number. [;]

355 (49) "Restricted drugs or substances" are the following substances
356 without limitation and for all purposes: *Datura stramonium*;
357 *hyoscyamus niger*; *atropa belladonna*, or the alkaloids atropine;
358 hyoscyamine; belladonnine; apatropine; or any mixture of these
359 alkaloids such as daturine, or the synthetic homatropine or any salts of
360 these alkaloids, except that any drug or preparation containing any of
361 the above-mentioned substances which is permitted by federal food and
362 drug laws to be sold or dispensed without a prescription or written
363 order shall not be a controlled substance; amyl nitrite; the following
364 volatile substances to the extent that said chemical substances or
365 compounds containing said chemical substances are sold, prescribed,

366 dispensed, compounded, possessed or controlled or delivered or
367 administered to another person with the purpose that said chemical
368 substances shall be breathed, inhaled, sniffed or drunk to induce a
369 stimulant, depressant or hallucinogenic effect upon the higher functions
370 of the central nervous system: Acetone; benzene; butyl alcohol; butyl
371 nitrate and its salts, isomers, esters, ethers or their salts; cyclohexanone;
372 dichlorodifluoromethane; ether; ethyl acetate; formaldehyde; hexane;
373 isopropanol; methanol; methyl cellosolve acetate; methyl ethyl ketone;
374 methyl isobutyl ketone; nitrous oxide; pentochlorophenol; toluene;
375 toluol; trichloroethane; trichloroethylene; 1,4 butanediol. [;]

376 (50) "Sale" is any form of delivery which includes barter, exchange or
377 gift, or offer therefor, and each such transaction made by any person
378 whether as principal, proprietor, agent, servant or employee. [;]

379 (51) "State", when applied to a part of the United States, includes any
380 state, district, commonwealth, territory or insular possession thereof,
381 and any area subject to the legal authority of the United States of
382 America. [;]

383 (52) "State food, drug and cosmetic laws" means the Uniform Food,
384 Drug and Cosmetic Act, section 21a-91 et seq. [;]

385 (53) "Ultimate user" means a person who lawfully possesses a
386 controlled substance for [his] the person's own use or for the use of a
387 member of [his] such person's household or for administering to an
388 animal owned by [him] such person or by a member of [his] such
389 person's household. [;]

390 (54) "Veterinarian" means a person authorized by law to practice
391 veterinary medicine in this state. [;]

392 (55) "Wholesaler" means a distributor or a person who supplies
393 controlled substances that [he himself] the person personally has not
394 produced or prepared to registrants. [as defined in subdivision (47) of
395 this section;]

396 (56) "Reasonable times" means the time or times any office, care-
397 giving institution, pharmacy, clinic, wholesaler, manufacturer,
398 laboratory, warehouse, establishment, store or place of business, vehicle
399 or other place is open for the normal affairs or business or the practice
400 activities usually conducted by the registrant. [;]

401 (57) "Unit dose drug distribution system" means a drug distribution
402 system used in a hospital or chronic and convalescent nursing home in
403 which drugs are supplied in individually labeled unit of use packages,
404 each patient's supply of drugs is exchanged between the hospital
405 pharmacy and the drug administration area or, in the case of a chronic
406 and convalescent nursing home between a pharmacy and the drug
407 administration area, at least once each twenty-four hours and each
408 patient's medication supply for this period is stored within a patient-
409 specific container, all of which is conducted under the direction of a
410 pharmacist licensed in Connecticut and, in the case of a hospital, directly
411 involved in the provision and supervision of pharmaceutical services at
412 such hospital at least thirty-five hours each week. [;]

413 (58) "Cocaine in a free-base form" means any substance which
414 contains cocaine, or any compound, isomer, derivative or preparation
415 thereof, in a nonsalt form.

416 (59) "THC" means tetrahydrocannabinol, including, but not limited
417 to, delta-7, delta-8-tetrahydrocannabinol, delta-9-tetrahydrocannabinol
418 and delta-10-tetrahydrocannabinol, and any material, compound,
419 mixture or preparation which contain their salts, isomers and salts of
420 isomers, whenever the existence of such salts, isomers and salts of
421 isomers is possible within the specific chemical designation, regardless
422 of the source, except: (A) Dronabinol substituted in sesame oil and
423 encapsulated in a soft gelatin capsule in a federal Food and Drug
424 Administration or successor agency approved product, or (B) any
425 tetrahydrocannabinol product that has been approved by the federal
426 Food and Drug Administration or successor agency to have a medical
427 use and reclassified in any schedule of controlled substances or
428 unscheduled by the federal Drug Enforcement Administration or

429 successor agency.

430 (60) "Total THC" means the sum of the percentage by weight of
431 tetrahydrocannabinolic acid, multiplied by eight hundred seventy-
432 seven-thousandths, plus the percentage of weight of
433 tetrahydrocannabinol.

434 (61) "Manufactured cannabinoid" means cannabinoids naturally
435 occurring from a source other than marijuana that are similar in
436 chemical structure or physiological effect to cannabinoids derived from
437 marijuana, as defined in section 21a-243, but are derived by a chemical
438 or biological process.

439 (62) "Synthetic cannabinoid" means any material, compound, mixture
440 or preparation which contains any quantity of a substance having a
441 psychotropic response primarily by agonist activity at cannabinoid-
442 specific receptors affecting the central nervous system that is produced
443 artificially and not derived from an organic source naturally containing
444 cannabinoids, unless listed in another schedule pursuant to section 21a-
445 243.

446 Sec. 2. Section 21a-408 of the general statutes is repealed and the
447 following is substituted in lieu thereof (*Effective October 1, 2023*):

448 As used in this section, sections 21a-408a to 21a-408o, inclusive, and
449 sections 21a-408r to 21a-408v, inclusive, as amended by this act, unless
450 the context otherwise requires:

451 (1) "Advanced practice registered nurse" means an advanced practice
452 registered nurse licensed pursuant to chapter 378;

453 (2) "Cannabis establishment" has the same meaning as provided in
454 section 21a-420, as amended by this act;

455 (3) "Cannabis testing laboratory" means a person who (A) is located
456 in this state, (B) is licensed by the department to analyze marijuana, and
457 (C) meets the licensure requirements established in section 21a-408r, as
458 amended by this act, and the regulations adopted pursuant to

459 subsection (d) of section 21a-408r, as amended by this act;

460 (4) "Cannabis testing laboratory employee" means a person who is
461 (A) employed at a cannabis testing laboratory, and (B) registered
462 pursuant to section 21a-408r, as amended by this act, and the regulations
463 adopted pursuant to subsection (d) of section 21a-408r, as amended by
464 this act;

465 ~~[(3)]~~ (5) "Cultivation" includes planting, propagating, cultivating,
466 growing and harvesting;

467 ~~[(4)]~~ (6) "Debilitating medical condition" means (A) cancer, glaucoma,
468 positive status for human immunodeficiency virus or acquired immune
469 deficiency syndrome, Parkinson's disease, multiple sclerosis, damage to
470 the nervous tissue of the spinal cord with objective neurological
471 indication of intractable spasticity, epilepsy or uncontrolled intractable
472 seizure disorder, cachexia, wasting syndrome, Crohn's disease,
473 posttraumatic stress disorder, irreversible spinal cord injury with
474 objective neurological indication of intractable spasticity, cerebral palsy,
475 cystic fibrosis or terminal illness requiring end-of-life care, except, if the
476 qualifying patient is under eighteen years of age, "debilitating medical
477 condition" means terminal illness requiring end-of-life care, irreversible
478 spinal cord injury with objective neurological indication of intractable
479 spasticity, cerebral palsy, cystic fibrosis, severe epilepsy or uncontrolled
480 intractable seizure disorder, or (B) any medical condition, medical
481 treatment or disease approved for qualifying patients by the
482 Department of Consumer Protection and posted online pursuant to
483 section 21a-408l;

484 ~~[(5)]~~ (7) "Dispensary facility" means a place of business where
485 marijuana may be dispensed, sold or distributed in accordance with this
486 chapter and any regulations adopted thereunder to qualifying patients
487 and caregivers and for which the department has issued a dispensary
488 facility license pursuant to this chapter;

489 ~~[(6)]~~ (8) "Employee" has the same meaning as provided in section 21a-
490 420, as amended by this act;

491 [(7)] (9) "Institutional animal care and use committee" means a
492 committee that oversees an organization's animal program, facilities
493 and procedures to ensure compliance with federal policies, guidelines
494 and principles related to the care and use of animals in research;

495 [(8)] (10) "Institutional review board" means a specifically constituted
496 review body established or designated by an organization to protect the
497 rights and welfare of persons recruited to participate in biomedical,
498 behavioral or social science research;

499 [(9) "Laboratory" means a laboratory located in the state that is
500 licensed by the department to provide analysis of marijuana and that
501 meets the licensure requirements set forth in section 21a-246;

502 (10) "Laboratory employee" means a person who is registered as a
503 laboratory employee pursuant to section 21a-408r;]

504 (11) "Licensed dispensary" or "dispensary" means an individual who
505 is a licensed pharmacist employed by a dispensary facility or hybrid
506 retailer;

507 (12) "Producer" means a person who is licensed as a producer
508 pursuant to section 21a-408i;

509 (13) "Marijuana" means marijuana, as defined in section 21a-240, as
510 amended by this act;

511 (14) "Nurse" means a person who is licensed as a nurse under chapter
512 378;

513 (15) "Palliative use" means the acquisition, distribution, transfer,
514 possession, use or transportation of marijuana or paraphernalia relating
515 to marijuana, including the transfer of marijuana and paraphernalia
516 relating to marijuana from the patient's caregiver to the qualifying
517 patient, to alleviate a qualifying patient's symptoms of a debilitating
518 medical condition or the effects of such symptoms, but does not include
519 any such use of marijuana by any person other than the qualifying
520 patient;

521 (16) "Paraphernalia" means drug paraphernalia, as defined in section
522 21a-240, as amended by this act;

523 (17) "Physician" means a person who is licensed as a physician under
524 chapter 370;

525 (18) "Physician assistant" means a person who is licensed as a
526 physician assistant under chapter 370;

527 (19) "Caregiver" means a person, other than the qualifying patient
528 and the qualifying patient's physician, physician assistant or advanced
529 practice registered nurse, who is eighteen years of age or older and has
530 agreed to undertake responsibility for managing the well-being of the
531 qualifying patient with respect to the palliative use of marijuana,
532 provided (A) in the case of a qualifying patient (i) under eighteen years
533 of age and not an emancipated minor, or (ii) otherwise lacking legal
534 capacity, such person shall be a parent, guardian or person having legal
535 custody of such qualifying patient, and (B) in the case of a qualifying
536 patient eighteen years of age or older or an emancipated minor, the need
537 for such person shall be evaluated by the qualifying patient's physician,
538 physician assistant or advanced practice registered nurse and such need
539 shall be documented in the written certification;

540 (20) "Qualifying patient" means a person who: (A) Is a resident of
541 Connecticut, (B) has been diagnosed by a physician, physician assistant
542 or advanced practice registered nurse as having a debilitating medical
543 condition, and (C) (i) is eighteen years of age or older, (ii) is an
544 emancipated minor, or (iii) has written consent from a custodial parent,
545 guardian or other person having legal custody of such person that
546 indicates that such person has permission from such parent, guardian
547 or other person for the palliative use of marijuana for a debilitating
548 medical condition and that such parent, guardian or other person will
549 (I) serve as a caregiver for the qualifying patient, and (II) control the
550 acquisition and possession of marijuana and any related paraphernalia
551 for palliative use on behalf of such person. "Qualifying patient" does not
552 include an inmate confined in a correctional institution or facility under

553 the supervision of the Department of Correction;

554 (21) "Research program" means a study approved by the Department
555 of Consumer Protection in accordance with this chapter and undertaken
556 to increase information or knowledge regarding the growth or
557 processing of marijuana, or the medical attributes, dosage forms,
558 administration or use of marijuana to treat or alleviate symptoms of any
559 medical conditions or the effects of such symptoms;

560 (22) "Research program employee" means a person who (A) is
561 registered as a research program employee under section 21a-408t, or
562 (B) holds a temporary certificate of registration issued pursuant to
563 section 21a-408t;

564 (23) "Research program subject" means a person registered as a
565 research program subject pursuant to section 21a-408v;

566 (24) "Usable marijuana" means the dried leaves and flowers of the
567 marijuana plant, and any mixtures or preparations of such leaves and
568 flowers, that are appropriate for the palliative use of marijuana, but does
569 not include the seeds, stalks and roots of the marijuana plant; and

570 (25) "Written certification" means a written certification issued by a
571 physician, physician assistant or advanced practice registered nurse
572 pursuant to section 21a-408c.

573 Sec. 3. Subsection (a) of section 21a-408b of the general statutes is
574 repealed and the following is substituted in lieu thereof (*Effective from*
575 *passage*):

576 (a) No person may serve as a caregiver for a qualifying patient [(1)]
577 unless such qualifying patient has a valid registration certificate from
578 the Department of Consumer Protection pursuant to subsection (a) of
579 section 21a-408d. [, and (2) if such person has been convicted of a
580 violation of any law pertaining to the illegal manufacture, sale or
581 distribution of a controlled substance.] A caregiver may not be
582 responsible for the care of more than one qualifying patient at any time,

583 except that a caregiver may be responsible for the care of more than one
584 qualifying patient if the caregiver and each qualifying patient have a
585 parental, grandparental, guardianship, conservatorship, spousal or
586 sibling relationship.

587 Sec. 4. Subsection (a) of section 21a-408j of the general statutes is
588 repealed and the following is substituted in lieu thereof (*Effective October*
589 *1, 2023*):

590 (a) No dispensary facility or employee of the dispensary facility may:
591 (1) Acquire marijuana from a person other than a producer from a
592 cultivator, micro-cultivator, product manufacturer, food and beverage
593 manufacturer, product packager, or transporter, as such terms are
594 defined in section 21a-420, as amended by this act; (2) transfer or
595 transport marijuana to a person who is not (A) a qualifying patient
596 registered under section 21a-408d; (B) a caregiver of such qualifying
597 patient; (C) a hospice or other inpatient care facility licensed by the
598 Department of Public Health pursuant to chapter 368v that has a
599 protocol for the handling and distribution of marijuana that has been
600 approved by the Department of Consumer Protection; (D) a cannabis
601 testing laboratory; (E) an organization engaged in a research program;
602 (F) a delivery service, as defined in section 21a-420, as amended by this
603 act; or (G) a transporter, as defined in section 21a-420, as amended by
604 this act; or (3) obtain or transport marijuana outside of this state in
605 violation of state or federal law.

606 Sec. 5. Section 21a-408k of the general statutes is repealed and the
607 following is substituted in lieu thereof (*Effective October 1, 2023*):

608 (a) No producer or employee of the producer may: (1) Sell, deliver,
609 transport or distribute marijuana to a person who is not (A) a cannabis
610 establishment, (B) a cannabis testing laboratory, or (C) an organization
611 engaged in a research program, or (2) obtain or transport marijuana
612 outside of this state in violation of state or federal law.

613 (b) No licensed producer or employee of the producer acting within
614 the scope of [his or her] such employee's employment shall be subject to

615 arrest or prosecution or penalized in any manner, including, but not
616 limited to, being subject to any civil penalty, or denied any right or
617 privilege, including, but not limited to, being subject to any disciplinary
618 action by a professional licensing board, for cultivating marijuana or
619 selling, delivering, transferring, transporting or distributing marijuana
620 to a cannabis establishment, cannabis testing laboratory or research
621 program.

622 Sec. 6. Subsections (a) to (d), inclusive, of section 21a-408r of the
623 general statutes are repealed and the following is substituted in lieu
624 thereof (*Effective October 1, 2023*):

625 (a) No person may act as a cannabis testing laboratory or represent
626 that such person is a cannabis testing laboratory unless such person has
627 (1) obtained a license from the Commissioner of Consumer Protection
628 pursuant to this section, or (2) (A) been granted approval by the
629 Commissioner of Consumer Protection as of October 1, 2021, and (B)
630 submitted an application to the Commissioner of Consumer Protection
631 for licensure pursuant to this section in a form and manner prescribed
632 by the commissioner. Such person may continue to act as a cannabis
633 testing laboratory until such application for licensure under this section
634 is approved or denied by the Commissioner of Consumer Protection.
635 The fee to receive a provisional license as a cannabis testing laboratory
636 shall be five hundred dollars, and the fee to receive a final license, or
637 renewal of a final license, as a cannabis testing laboratory shall be one
638 thousand dollars.

639 (b) Except as provided in subsection (c) of this section, no person may
640 act as a cannabis testing laboratory employee or represent that such
641 person is a cannabis testing laboratory employee unless such person has
642 obtained a registration from the Commissioner of Consumer Protection
643 pursuant to this section.

644 (c) Prior to the effective date of regulations adopted under this
645 section, the Commissioner of Consumer Protection may issue a
646 temporary certificate of registration to a cannabis testing laboratory

647 employee. The commissioner shall prescribe the standards, procedures
648 and fees for obtaining a temporary certificate of registration as a
649 cannabis testing laboratory employee.

650 (d) The Commissioner of Consumer Protection shall adopt
651 regulations, in accordance with chapter 54, to (1) provide for the
652 licensure or registration of cannabis testing laboratories and cannabis
653 testing laboratory employees, (2) establish standards and procedures for
654 the revocation, suspension, summary suspension and nonrenewal of
655 cannabis testing laboratory licenses and cannabis testing laboratory
656 employee registrations, provided such standards and procedures are
657 consistent with the provisions of subsection (c) of section 4-182, (3)
658 establish a [license or] registration renewal fee for each [licensed
659 laboratory and] registered cannabis testing laboratory employee,
660 provided the aggregate amount of such [license, registration and
661 renewal] fees shall not be less than the amount necessary to cover the
662 direct and indirect cost of [licensing,] registering and regulating
663 [laboratories and] cannabis testing laboratory employees in accordance
664 with the provisions of this chapter, (4) establish procedures by which
665 cannabis testing laboratories shall accept marijuana samples from
666 qualifying patients, and cannabis samples from consumers, for testing,
667 and [(4)] (5) establish other licensing, registration, renewal and
668 operational standards deemed necessary by the commissioner. For the
669 purposes of this subsection, "cannabis" and "consumer" have the same
670 meanings as provided in section 21a-420, as amended by this act.

671 Sec. 7. Section 21a-408s of the general statutes is repealed and the
672 following is substituted in lieu thereof (*Effective October 1, 2023*):

673 (a) No cannabis testing laboratory or cannabis testing laboratory
674 employee may (1) acquire marijuana from a person other than a
675 cannabis establishment or an organization engaged in a research
676 program, (2) deliver, transport or distribute marijuana to (A) a person
677 who is not a cannabis establishment from which the marijuana was
678 originally acquired by the cannabis testing laboratory or cannabis
679 testing laboratory employee, or (B) an organization not engaged in a

680 research program, or (3) obtain or transport marijuana outside of this
681 state in violation of state or federal law.

682 (b) (1) No cannabis testing laboratory employee acting within the
683 scope of [his or her] such cannabis testing employee's employment shall
684 be subject to arrest or prosecution, penalized in any manner, including,
685 but not limited to, being subject to any civil penalty, or denied any right
686 or privilege, including, but not limited to, being subject to any
687 disciplinary action by a professional licensing board, for acquiring,
688 possessing, delivering, transporting or distributing marijuana to a
689 cannabis establishment or an organization engaged in an approved
690 research program under the provisions of this chapter.

691 (2) No cannabis testing laboratory shall be subject to prosecution,
692 penalized in any manner, including, but not limited to, being subject to
693 any civil penalty or denied any right or privilege, for acquiring,
694 possessing, delivering, transporting or distributing marijuana to a
695 cannabis establishment or an organization engaged in an approved
696 research program under the provisions of this chapter.

697 (c) A cannabis testing laboratory shall be independent from all other
698 persons involved in the marijuana industry in Connecticut, which shall
699 mean that no person with a direct or indirect financial, managerial or
700 controlling interest in the cannabis testing laboratory shall have a direct
701 or indirect financial, managerial or controlling interest in a cannabis
702 establishment or any other entity that may benefit from the laboratory
703 test results for a cannabis or marijuana sample or product.

704 (d) A cannabis testing laboratory shall maintain all minimum security
705 and safeguard requirements for the storage of handling of controlled
706 substances as a laboratory that is licensed to provide analysis of
707 controlled substances pursuant to section 21a-246 and any regulations
708 adopted thereunder.

709 Sec. 8. Section 21a-408u of the general statutes is repealed and the
710 following is substituted in lieu thereof (*Effective October 1, 2023*):

711 (a) No research program or research program employee may (1)
712 acquire marijuana from a person other than a cannabis establishment or
713 cannabis testing laboratory, (2) deliver, transport or distribute
714 marijuana to a person who is not (A) a cannabis establishment, (B) a
715 cannabis testing laboratory, or (C) a research program subject, (3)
716 distribute or administer marijuana to an animal unless such animal is an
717 animal research subject, or (4) obtain or transport marijuana outside of
718 this state in violation of state or federal law.

719 (b) No research program employee acting within the scope of [his or
720 her] such research program employee's employment shall be subject to
721 arrest or prosecution, penalized in any manner, including, but not
722 limited to, being subject to any civil penalty, or denied any right or
723 privilege, including, but not limited to, being subject to any disciplinary
724 action by a professional licensing board, for acquiring, possessing,
725 delivering, transporting or distributing marijuana to a cannabis
726 establishment or cannabis testing laboratory, or a research program
727 subject or distributing or administering marijuana to an animal research
728 subject under the provisions of this chapter.

729 Sec. 9. Section 21a-420 of the general statutes is repealed and the
730 following is substituted in lieu thereof (*Effective October 1, 2023*):

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

732 (1) "Responsible and Equitable Regulation of Adult-Use Cannabis
733 Act" or "RERACA" means this section, sections 2-56j, 7-294kk, 7-294ll,
734 12-330ll to 12-330nn, inclusive, 14-227p, 21a-278b, 21a-278c, 21a-279c,
735 21a-279d, 21a-420a to 21a-420i, inclusive, 21a-420l to 21a-421r, inclusive,
736 21a-421aa to 21a-421ff, inclusive, 21a-421aaa to 21a-421ggg, inclusive,
737 21a-422 to 21a-422c, inclusive, 21a-422e to 21a-422g, inclusive, 21a-422j
738 to 21a-422s, inclusive, 22-61n, 23-4b, 47a-9a, as amended by this act, 53-
739 247a, 53a-213a, 53a-213b, 54-33p, 54-56q, 54-56r, 54-125k and 54-142u,
740 sections 23, 60, 63 to 65, inclusive, 124, 144 and 165 of public act 21-1 of
741 the June special session and the amendments in public act 21-1 of the
742 June special session to sections 7-148, 10-221, as amended by this act, 12-

743 30a, 12-35b, 12-412, 12-650, 12-704d, 14-44k, 14-111e, 14-227a to 14-227c,
744 inclusive, 14-227j, 15-140q, 15-140r, 18-100h, 19a-342, 19a-342a, 21a-267,
745 as amended by this act, 21a-277, as amended by this act, 21a-279, 21a-
746 279a, 21a-408 to 21a-408f, inclusive, as amended by this act, 21a-408h to
747 21a-408p, inclusive, 21a-408r to 21a-408v, inclusive, as amended by this
748 act, 30-89a, 31-40q, 32-39, 46b-120, 51-164n, 53-394, 53a-39c, 54-1m, 54-
749 33g, 54-41b, 54-56e, 54-56g, 54-56i, 54-56k, 54-56n, 54-63d, 54-66a, 54-
750 142e, 21a-421hhh and 21a-420j, as amended by this act;

751 (2) "Backer" means any individual with a direct or indirect financial
752 interest in a cannabis establishment. "Backer" does not include an
753 individual with an investment interest in a cannabis establishment if (A)
754 the interest held by such individual and such individual's spouse,
755 parent or child, in the aggregate, does not exceed five per cent of the
756 total ownership or interest rights in such cannabis establishment, and
757 (B) such individual does not participate directly or indirectly in the
758 control, management or operation of the cannabis establishment;

759 (3) "Cannabis" means marijuana, as defined in section 21a-240, as
760 amended by this act;

761 (4) "Cannabis establishment" means a producer, dispensary facility,
762 cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage
763 manufacturer, product manufacturer, product packager, delivery
764 service or transporter;

765 (5) "Cannabis flower" means the flower, including abnormal and
766 immature flowers, of a plant of the genus cannabis that has been
767 harvested, dried and cured, and prior to any processing whereby the
768 flower material is transformed into a cannabis product. "Cannabis
769 flower" does not include (A) the leaves or stem of such plant, or (B)
770 hemp, as defined in section 22-61l, as amended by this act;

771 (6) "Cannabis testing laboratory" means a laboratory that (A) is
772 located in this state, (B) is licensed by the department to analyze
773 cannabis, and (C) meets the licensure requirements established in
774 section 21a-408r, as amended by this act, and the regulations adopted

775 pursuant to subsection (d) of section 21a-408r, as amended by this act;

776 (7) "Cannabis testing laboratory employee" means an individual who
777 is (A) employed at a cannabis testing laboratory, and (B) registered
778 pursuant to section 21a-408r, as amended by this act, and the regulations
779 adopted pursuant to subsection (d) of section 21a-408r, as amended by
780 this act;

781 ~~[(6)]~~ (8) "Cannabis trim" means all parts, including abnormal or
782 immature parts, of a plant of the genus cannabis, other than cannabis
783 flower, that have been harvested, dried and cured, and prior to any
784 processing whereby the plant material is transformed into a cannabis
785 product. "Cannabis trim" does not include hemp, as defined in section
786 22-61l, as amended by this act;

787 ~~[(7)]~~ (9) "Cannabis product" means cannabis that is in the form of a
788 cannabis concentrate or a product that contains cannabis, which may be
789 combined with other ingredients, and is intended for use or
790 consumption. "Cannabis product" does not include the raw cannabis
791 plant;

792 ~~[(8)]~~ (10) "Cannabis concentrate" means any form of concentration,
793 including, but not limited to, extracts, oils, tinctures, shatter and waxes,
794 that is extracted from cannabis;

795 ~~[(9) "Cannabis-type substances" have the same meaning as~~
796 ~~"marijuana", as defined in section 21a-240;]~~

797 ~~[(10)]~~ (11) "Commissioner" means the Commissioner of Consumer
798 Protection and includes any designee of the commissioner;

799 ~~[(11)]~~ (12) "Consumer" means an individual who is twenty-one years
800 of age or older;

801 ~~[(12)]~~ (13) "Cultivation" has the same meaning as provided in section
802 21a-408, as amended by this act;

803 ~~[(13)]~~ (14) "Cultivator" means a person that is licensed to engage in

804 the cultivation, growing and propagation of the cannabis plant at an
805 establishment with not less than fifteen thousand square feet of grow
806 space;

807 [(14)] (15) "Delivery service" means a person that is licensed to deliver
808 cannabis from (A) micro-cultivators, retailers and hybrid retailers to
809 consumers and research program subjects, and (B) hybrid retailers and
810 dispensary facilities to qualifying patients, caregivers and research
811 program subjects, as defined in section 21a-408, as amended by this act,
812 or to hospices or other inpatient care facilities licensed by the
813 Department of Public Health pursuant to chapter 368v that have a
814 protocol for the handling and distribution of cannabis that has been
815 approved by the department, or a combination thereof;

816 [(15)] (16) "Department" means the Department of Consumer
817 Protection;

818 [(16)] (17) "Dispensary facility" means a place of business where
819 cannabis may be dispensed, sold or distributed in accordance with
820 chapter 420f and any regulations adopted thereunder, to qualifying
821 patients and caregivers, and to which the department has issued a
822 dispensary facility license under chapter 420f and any regulations
823 adopted thereunder;

824 [(17)] (18) "Disproportionately impacted area" means a United States
825 census tract in the state that has, as determined by the Social Equity
826 Council under section 21a-420d, as amended by this act, (A) a historical
827 conviction rate for drug-related offenses greater than one-tenth, or (B)
828 an unemployment rate greater than ten per cent;

829 [(18)] (19) "Disqualifying conviction" means a conviction within the
830 last ten years which has not been the subject of an absolute pardon
831 under the provisions of section 54-130a, or an equivalent pardon process
832 under the laws of another state or the federal government, for an offense
833 under (A) section 53a-276, 53a-277 or 53a-278; (B) section 53a-291, 53a-
834 292 or 53a-293; (C) section 53a-215; (D) section 53a-138 or 53a-139; (E)
835 section 53a-142a; (F) sections 53a-147 to 53a-162, inclusive; (G) sections

836 53a-125c to 53a-125f, inclusive; (H) section 53a-129b, 53a-129c or 53a-
837 129d; (I) subsection (b) of section 12-737; (J) section 53a-48 or 53a-49, if
838 the offense which is attempted or is an object of the conspiracy is an
839 offense under the statutes listed in subparagraphs (A) to (I), inclusive,
840 of this subdivision; or (K) the law of any other state or of the federal
841 government, if the offense on which such conviction is based is defined
842 by elements that substantially include the elements of an offense under
843 the statutes listed in subparagraphs (A) to (J), inclusive, of this
844 subdivision;

845 ~~[(19)]~~ (20) "Dispensary technician" means an individual who has had
846 an active pharmacy technician or dispensary technician registration in
847 this state within the past five years, is affiliated with a dispensary facility
848 or hybrid retailer and is registered with the department in accordance
849 with chapter 420f and any regulations adopted thereunder;

850 ~~[(20)]~~ (21) "Employee" means any person who is not a backer, but is a
851 member of the board of a company with an ownership interest in a
852 cannabis establishment, and any person employed by a cannabis
853 establishment or who otherwise has access to such establishment or the
854 vehicles used to transport cannabis, including, but not limited to, an
855 independent contractor who has routine access to the premises of such
856 establishment or to the cannabis handled by such establishment;

857 ~~[(21)]~~ (22) "Equity" and "equitable" means efforts, regulations,
858 policies, programs, standards, processes and any other functions of
859 government or principles of law and governance intended to: (A)
860 Identify and remedy past and present patterns of discrimination and
861 disparities of race, ethnicity, gender and sexual orientation; (B) ensure
862 that such patterns of discrimination and disparities, whether intentional
863 or unintentional, are neither reinforced nor perpetuated; and (C)
864 prevent the emergence and persistence of foreseeable future patterns of
865 discrimination or disparities of race, ethnicity, gender and sexual
866 orientation;

867 ~~[(22)]~~ (23) "Equity joint venture" means a business entity that is at

868 least fifty per cent owned and controlled by an individual or
869 individuals, or such applicant is an individual, who meets the criteria of
870 subparagraphs (A) and (B) of subdivision [(48)] (47) of this section;

871 [(23)] (24) "Extract" means the preparation, compounding, conversion
872 or processing of cannabis, either directly or indirectly by extraction or
873 independently by means of chemical synthesis, or by a combination of
874 extraction and chemical synthesis to produce a cannabis concentrate;

875 [(24)] (25) "Financial interest" means any right to, ownership, an
876 investment or a compensation arrangement with another person,
877 directly, through business, investment or family. "Financial interest"
878 does not include ownership of investment securities in a publicly-held
879 corporation that is traded on a national exchange or over-the-counter
880 market, provided the investment securities held by such person and
881 such person's spouse, parent or child, in the aggregate, do not exceed
882 one-half of one per cent of the total number of shares issued by the
883 corporation;

884 [(25)] (26) "Food and beverage manufacturer" means a person that is
885 licensed to own and operate a place of business that acquires cannabis
886 and creates food and beverages;

887 [(26)] (27) "Grow space" means the portion of a premises owned and
888 controlled by a producer, cultivator or micro-cultivator that is utilized
889 for the cultivation, growing or propagation of the cannabis plant, and
890 contains cannabis plants in an active stage of growth, measured starting
891 from the outermost wall of the room containing cannabis plants and
892 continuing around the outside of the room. "Grow space" does not
893 include space used to cure, process, store harvested cannabis or
894 manufacture cannabis once the cannabis has been harvested;

895 [(27)] (28) "Historical conviction count for drug-related offenses"
896 means, for a given area, the number of convictions of residents of such
897 area (A) for violations of sections 21a-267, as amended by this act, 21a-
898 277, as amended by this act, 21a-278, as amended by this act, 21a-279
899 and 21a-279a, and (B) who were arrested for such violations between

900 January 1, 1982, and December 31, 2020, inclusive, where such arrest
901 was recorded in databases maintained by the Department of Emergency
902 Services and Public Protection;

903 [(28)] (29) "Historical conviction rate for drug-related offenses"
904 means, for a given area, the historical conviction count for drug-related
905 offenses divided by the population of such area, as determined by the
906 five-year estimates of the most recent American Community Survey
907 conducted by the United States Census Bureau;

908 [(29)] (30) "Hybrid retailer" means a person that is licensed to
909 purchase cannabis and sell cannabis and medical marijuana products;

910 [(30)] (31) "Key employee" means an employee with the following
911 management position or an equivalent title within a cannabis
912 establishment: (A) President or chief officer, who is the top ranking
913 individual at the cannabis establishment and is responsible for all staff
914 and overall direction of business operations; (B) financial manager, who
915 is the individual who reports to the president or chief officer and who is
916 [generally] responsible for oversight of the financial operations of the
917 cannabis establishment, [including, but not limited to, revenue
918 generation,] which financial operations include one or more of the
919 following: (i) Revenue and expense management; (ii) distributions; [
920 (iii) tax compliance; [and] (iv) budget development; or (v) budget
921 management and implementation; or (C) compliance manager, who is
922 the individual who reports to the president or chief officer and who is
923 generally responsible for ensuring the cannabis establishment complies
924 with all laws, regulations and requirements related to the operation of
925 the cannabis establishment;

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

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

931 [(33)] (32) "Labor peace agreement" means an agreement between a
932 cannabis establishment and a bona fide labor organization under section
933 21a-421d pursuant to which the owners and management of the
934 cannabis establishment agree not to lock out employees and that
935 prohibits the bona fide labor organization from engaging in picketing,
936 work stoppages or boycotts against the cannabis establishment;

937 [(34)] (33) "Manufacture" means to add or incorporate cannabis into
938 other products or ingredients or create a cannabis product;

939 [(35)] (34) "Medical marijuana product" means cannabis that may be
940 exclusively sold to qualifying patients and caregivers by dispensary
941 facilities and hybrid retailers and which are designated by the
942 commissioner as reserved for sale to qualifying patients and caregivers
943 and published on the department's Internet web site;

944 [(36)] (35) "Micro-cultivator" means a person licensed to engage in the
945 cultivation, growing and propagation of the cannabis plant at an
946 establishment containing not less than two thousand square feet and not
947 more than ten thousand square feet of grow space, prior to any
948 expansion authorized by the commissioner;

949 [(37)] (36) "Municipality" means any town, city or borough,
950 consolidated town and city or consolidated town and borough;

951 [(38)] (37) "Paraphernalia" means drug paraphernalia, as defined in
952 section 21a-240, as amended by this act;

953 [(39)] (38) "Person" means an individual, partnership, limited liability
954 company, society, association, joint stock company, corporation, estate,
955 receiver, trustee, assignee, referee or any other legal entity and any other
956 person acting in a fiduciary or representative capacity, whether
957 appointed by a court or otherwise, and any combination thereof;

958 [(40)] (39) "Producer" means a person that is licensed as a producer
959 pursuant to section 21a-408i and any regulations adopted thereunder;

960 [(41)] (40) "Product manufacturer" means a person that is licensed to

961 obtain cannabis, extract and manufacture products exclusive to such
962 license type;

963 [(42)] (41) "Product packager" means a person that is licensed to
964 package and label cannabis;

965 [(43)] (42) "Qualifying patient" has the same meaning as provided in
966 section 21a-408, as amended by this act;

967 [(44)] (43) "Research program" has the same meaning as provided in
968 section 21a-408, as amended by this act;

969 [(45)] (44) "Retailer" means a person, excluding a dispensary facility
970 and hybrid retailer, that is licensed to purchase cannabis from
971 producers, cultivators, micro-cultivators, product manufacturers and
972 food and beverage manufacturers and to sell cannabis to consumers and
973 research programs;

974 [(46)] (45) "Sale" or "sell" has the same meaning as provided in section
975 21a-240, as amended by this act;

976 [(47)] (46) "Social Equity Council" or "council" means the council
977 established under section 21a-420d, as amended by this act;

978 [(48)] (47) "Social equity applicant" means a person that has applied
979 for a license for a cannabis establishment, where such applicant is at
980 least sixty-five per cent owned and controlled by an individual or
981 individuals, or such applicant is an individual, who:

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

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

988 (ii) Was a resident of a disproportionately impacted area for not less

989 than nine years prior to attaining the age of eighteen;

990 ~~[(49)]~~ (48) "THC" has the same meaning as provided in section 21a-
991 240, as amended by this act;

992 ~~[(50)]~~ (49) "Third-party lottery operator" means a person, or a
993 constituent unit of the state system of higher education, that conducts
994 lotteries pursuant to section 21a-420g, as amended by this act, identifies
995 the cannabis establishment license applications for consideration
996 without performing any review of the applications that are identified
997 for consideration, and that has no direct or indirect oversight of or
998 investment in a cannabis establishment or a cannabis establishment
999 applicant;

1000 ~~[(51)]~~ (50) "Transfer" means to transfer, change, give or otherwise
1001 dispose of control over or interest in;

1002 ~~[(52)]~~ (51) "Transport" means to physically move from one place to
1003 another;

1004 ~~[(53)]~~ (52) "Transporter" means a person licensed to transport
1005 cannabis between cannabis establishments, cannabis testing
1006 laboratories and research programs; and

1007 ~~[(54)]~~ (53) "Unemployment rate" means, in a given area, the number
1008 of people sixteen years of age or older who are in the civilian labor force
1009 and unemployed divided by the number of people sixteen years of age
1010 or older who are in the civilian labor force.

1011 Sec. 10. Section 21a-420e of the general statutes is repealed and the
1012 following is substituted in lieu thereof (*Effective from passage*):

1013 (a) Not later than thirty days after the date that the Social Equity
1014 Council identifies the criteria and the necessary supporting
1015 documentation for social equity applicants and posts such information
1016 on its Internet web site, the department may accept applications for the
1017 following cannabis establishment license types: (1) Retailer, (2) hybrid
1018 retailer, (3) cultivator, (4) micro-cultivator, (5) product manufacturer, (6)

1019 food and beverage manufacturer, (7) product packager, (8) delivery
1020 service, [and] (9) transporter, (10) dispensary facility, and (11) producer.
1021 Each application for licensure shall require the applicant to indicate
1022 whether the applicant wants to be considered for treatment as a social
1023 equity applicant.

1024 (b) On and after July 1, 2021, the department may accept applications
1025 from any dispensary facility to convert its license to a hybrid-retailer
1026 license and any producer for expanded authorization to engage in the
1027 adult use cannabis market under its license issued pursuant to section
1028 21a-408i.

1029 (c) Except as provided in subsection [(e)] (d) of this section, the
1030 following fees shall be paid by each applicant:

1031 (1) For a retailer license, the fee to enter the lottery shall be five
1032 hundred dollars, the fee to receive a provisional license shall be five
1033 thousand dollars and the fee to receive a final license or a renewal of a
1034 final license shall be twenty-five thousand dollars.

1035 (2) For a hybrid retailer license, the fee to enter the lottery shall be five
1036 hundred dollars, the fee to receive a provisional license shall be five
1037 thousand dollars and the fee to receive a final license or a renewal of a
1038 final license shall be twenty-five thousand dollars.

1039 (3) For a cultivator license, the fee to enter the lottery shall be one
1040 thousand dollars, the fee to receive a provisional license shall be twenty-
1041 five thousand dollars and the fee to receive a final license or a renewal
1042 of a final license shall be seventy-five thousand dollars.

1043 (4) For a micro-cultivator license, the fee to enter the lottery shall be
1044 two hundred fifty dollars, the fee to receive a provisional license shall
1045 be five hundred dollars and the fee to receive a final license or a renewal
1046 of a final license shall be one thousand dollars.

1047 (5) For a product manufacturer license, the fee to enter the lottery
1048 shall be seven hundred fifty dollars, the fee to receive a provisional

1049 license shall be five thousand dollars and the fee to receive a final license
1050 or a renewal of a final license shall be twenty-five thousand dollars.

1051 (6) For a food and beverage manufacturer license, the fee to enter the
1052 lottery shall be two hundred fifty dollars, the fee to receive a provisional
1053 license shall be one thousand dollars and the fee to receive a final license
1054 or a renewal of a final license shall be five thousand dollars.

1055 (7) For a product packager license, the fee to enter the lottery shall be
1056 five hundred dollars, the fee to receive a provisional license shall be five
1057 thousand dollars and the fee to receive a final license or a renewal of a
1058 final license shall be twenty-five thousand dollars.

1059 (8) For a delivery service or transporter license, the fee to enter the
1060 lottery shall be two hundred fifty dollars, the fee to receive a provisional
1061 license shall be one thousand dollars and the fee to receive a final license
1062 or a renewal of a final license shall be five thousand dollars.

1063 (9) For an initial or renewal of a backer license, the fee shall be one
1064 hundred dollars.

1065 (10) For an initial or renewal of a key employee license, the fee shall
1066 be one hundred dollars.

1067 (11) For an initial or renewal of a registration of an employee who is
1068 not a key employee, the fee shall be fifty dollars.

1069 (12) The license conversion fee for a dispensary facility to become a
1070 hybrid retailer shall be one million dollars, except as provided in section
1071 21a-420u, as amended by this act.

1072 (13) The license conversion fee for a producer to engage in the adult
1073 use cannabis market shall be three million dollars, except as provided in
1074 section 21a-420l.

1075 (d) For any dispensary facility that has become a hybrid retailer, the
1076 renewal fee shall be the same as the fee for a hybrid retailer set forth in
1077 subdivision (2) of subsection (c) of this section. For any producer, the

1078 renewal fee shall be the same as set forth in section 21a-408i. A social
1079 equity applicant shall pay fifty per cent of the amount of any of the fees
1080 specified in subsection (c) of this section for the first three renewal cycles
1081 of the applicable cannabis establishment license applied for, and the full
1082 amount thereafter, provided in the case of the fees set forth in
1083 subdivisions (12) and (13) of subsection (c) of this section, a social equity
1084 applicant shall pay the full amount of the fee.

1085 (e) For the fiscal year ending June 30, 2023, and thereafter, fees
1086 collected by the department under this section shall be paid to the State
1087 Treasurer and credited to the General Fund, except that the fees
1088 collected under subdivisions (12) and (13) of subsection (c) of this
1089 section shall be deposited in the Social Equity and Innovation Fund
1090 established under section 21a-420f.

1091 (f) For each license type:

1092 (1) Applicants shall apply on a form and in a manner prescribed by
1093 the commissioner, which form shall include a method for the applicant
1094 to request consideration as a social equity applicant; and

1095 (2) The department shall post on its Internet web site the application
1096 period, which shall specify the first and last date that the department
1097 will accept applications for that license type. The first date that the
1098 department shall accept applications shall be no sooner than thirty days
1099 after the date the Social Equity Council posts the criteria and supporting
1100 documentation necessary to qualify for consideration as a social equity
1101 applicant as set forth in section 21a-420g, as amended by this act. Only
1102 complete license applications received by the department during the
1103 application period shall be considered.

1104 (g) (1) No current or former state officer or employee, or employee of
1105 any other person who at any time had access to an application submitted
1106 to the department pursuant to this section, may disclose such
1107 application, or any information included in or submitted with such
1108 application, unless such disclosure is authorized under this subsection.

1109 (2) The commissioner may disclose the following information
1110 concerning an application submitted to the department pursuant to this
1111 section:

1112 (A) The applicant's name;

1113 (B) The license type for which such application was submitted;

1114 (C) The applicant's social equity designation, if any;

1115 (D) The applicant's address;

1116 (E) The name, electronic mail address and telephone number of the
1117 applicant's owner;

1118 (F) The ownership interest that an owner of a social equity applicant
1119 holds in such applicant, expressed as a percentage of all ownership
1120 interests in such applicant;

1121 (G) The name and address of the person who serves as the applicant's
1122 primary business contact;

1123 (H) The application number assigned to such application;

1124 (I) The date such application was submitted to the department;

1125 (J) Information concerning the applicant's formation, including, but
1126 not limited to, the applicant's business entity type, formation date and
1127 place, and business registration number as such number appears on the
1128 electronic business portal established by the Commercial Recording
1129 Division of the office of the Secretary of the State pursuant to section 3-
1130 99d; and

1131 (K) The name of all cannabis businesses associated with the applicant
1132 and listed on such application.

1133 (3) (A) In addition to the information described in subdivision (2) of
1134 this subsection, the commissioner may, in the commissioner's sole
1135 discretion, disclose any personal information or financial document

1136 associated with an application submitted to the department pursuant to
1137 this section to:

1138 (i) A federal, state or local government agency acting in the course of
1139 such agency's governmental functions, or a person acting on behalf of
1140 such agency in performing such functions;

1141 (ii) A college or university conducting research or assisting the state
1142 in reviewing such applications, provided such college or university
1143 agrees not to disclose any personally identifying information or
1144 confidential business information and deidentify any personal or
1145 financial information such college or university receives from the
1146 department before releasing any report, study, survey or similar
1147 document concerning such information;

1148 (iii) An officer of the court in connection with an administrative,
1149 arbitral, civil or criminal proceeding in a court of competent jurisdiction
1150 or before a government agency or self-regulatory body, including, but
1151 not limited to, the service of process, an investigation performed in
1152 anticipation of litigation, an order issued by such court or the execution
1153 or enforcement of a judgment or order issued by such court, provided
1154 the person to whom the commissioner discloses such information or
1155 document is a party in interest to such proceeding;

1156 (iv) A state marshal in the course of performing such marshal's duties
1157 under section 6-38a; or

1158 (v) The applicant or the applicant's owner to confirm that any such
1159 information or document such applicant or owner submitted to the
1160 department in connection with such application is accurate.

1161 (B) Any personal information or financial document the
1162 commissioner discloses pursuant to subparagraph (A) of this
1163 subdivision shall remain confidential, and no person described in
1164 subparagraphs (A)(i) to (A)(iv), inclusive, of this subdivision shall
1165 further disseminate such information or document in a manner that
1166 would enable another person to identify any person referenced in, and

1167 related to, such information or document unless such disclosure is
1168 required under other applicable law.

1169 Sec. 11. Subsections (a) to (i), inclusive, of section 21a-420g of the
1170 general statutes are repealed and the following is substituted in lieu
1171 thereof (*Effective from passage*):

1172 (a) The Social Equity Council shall review the ownership information
1173 and any other information necessary to confirm that an applicant
1174 qualifies as a social equity applicant for all cannabis establishment
1175 license type applications submitted to the department and designated
1176 by the applicant as a social equity applicant. The Social Equity Council
1177 shall prescribe the documentation necessary for applicants to submit to
1178 establish that the ownership, residency and income requirements for
1179 social equity applicants are met. On or before September 1, 2021, the
1180 Social Equity Council shall post such necessary documentation
1181 requirements on its Internet web site to inform applicants of such
1182 requirements prior to the start of the application period.

1183 (b) Except as provided in section 21a-420o, prior to the first date that
1184 the department begins accepting applications for a license type, the
1185 department shall determine the maximum number of applications that
1186 shall be considered for such license type and post such information on
1187 its Internet web site. Fifty per cent of the maximum number of
1188 applications that shall be considered for each license type (1) shall be
1189 selected through a social equity lottery for such license type, and (2)
1190 shall be reserved by the department for social equity applicants. If, upon
1191 the close of the application period for a license type, the department
1192 receives more applications than the maximum number to be considered
1193 in total or to be reserved for social equity applicants as set forth in this
1194 subsection, [(b) of this section,] a third-party lottery operator shall
1195 conduct a lottery to identify applications for review by the department
1196 and the Social Equity Council.

1197 (c) (1) The third-party lottery operator shall:

1198 (A) Not be provided any application received after the close of the

1199 application period;

1200 (B) Give equal weight to every complete application submitted
1201 during the application period; and

1202 (C) Conduct multiple, separate geographic lotteries if required by the
1203 department.

1204 (2) For purposes of the lottery, the third-party lottery operator shall:

1205 (A) Conduct an independent social equity lottery and general lottery
1206 for each license type [and a separate lottery for social equity applicants
1207 of each license type] that results in each application being randomly
1208 ranked starting with one and continuing sequentially; and

1209 (B) Rank all applications in each lottery numerically according to the
1210 order in which they were drawn, including those that exceed the
1211 number to be considered, and identify for the department all
1212 applications to be considered. [which shall consist of the applications
1213 ranked numerically one to the maximum number set forth in accordance
1214 with subsection (b) of this section.]

1215 (d) (1) Upon receipt of an application for social equity consideration
1216 or, in the case where a social equity lottery is conducted, after such
1217 lottery applicants are selected, the department shall provide to the
1218 Social Equity Council the documentation received by the department
1219 during the application process that is required under subsection (a) of
1220 this section. No identifying information beyond what is necessary to
1221 establish social equity status shall be provided to the Social Equity
1222 Council. The Social Equity Council shall review the social equity
1223 applications to be considered as identified by the third-party lottery
1224 operator to determine whether the applicant meets the criteria for a
1225 social equity applicant. If the Social Equity Council determines that an
1226 applicant does not qualify as a social equity applicant, the application
1227 shall not be reviewed further for purposes of receiving a license
1228 designated for social equity applicants. The application shall be entered
1229 into the [other] general lottery for [the] that license type and may be

1230 reviewed further if selected through such lottery, provided the
1231 applicant pays the additional amount necessary to pay the full fee for
1232 entry into such lottery within five business days of being notified by the
1233 Social Equity Council that [it] such applicant does not qualify as a social
1234 equity applicant. Not later than thirty days after the Social Equity
1235 Council notifies an applicant [is notified of a denial of a license
1236 application under this subsection] of the Social Equity Council's
1237 determination that the applicant does not meet the criteria for a social
1238 equity applicant, the applicant may appeal [such denial] from such
1239 determination to the Superior Court. [in accordance with section 4-183.]

1240 (2) Upon determination by the Social Equity Council that an
1241 application selected through the lottery process does not qualify for
1242 consideration as a social equity applicant, the department shall request
1243 that the third-party lottery operator identify the next-ranked application
1244 in the [applicable] social equity lottery. This process may continue until
1245 the Social Equity Council has identified for further consideration the
1246 number of applications set forth on the department's web site pursuant
1247 to subsection (b) of this section or [the lottery indicates that] until there
1248 are no [further] remaining social equity applications to be considered.

1249 (3) For each license type, the Social Equity Council shall identify for
1250 the department the social equity applications that qualify as social
1251 equity applicants and that should be reviewed by the department for
1252 purposes of awarding a provisional license.

1253 (4) Any application [subject to] entered into, but not selected through,
1254 the social equity lottery [process] shall not be reviewed as a social equity
1255 application, but shall be entered into the general lottery for [the] that
1256 [remaining applications for the] license type.

1257 (5) After receiving the list of selected social equity applications [from]
1258 reviewed and approved by the Social Equity Council, the department
1259 shall notify the third-party lottery operator, which shall then conduct
1260 [an] the independent general lottery for all remaining applicants for
1261 each license type, rank all general lottery applications numerically

1262 including those that exceed the number to be considered, and identify
1263 for the department all of the selected applications to be reviewed. The
1264 number of applications to be reviewed by the department shall consist
1265 of the applications ranked numerically one through the maximum
1266 number [set forth in accordance with subsection (b) of this section,
1267 provided that if fewer social equity applicants are identified pursuant
1268 to subdivision (3) of this subsection, the maximum number shall be the
1269 number] necessary to ensure that fifty per cent of the applications for
1270 each license type identified through the lottery process are [social equity
1271 applicants] selected from the social equity lottery and approved by the
1272 Social Equity Council.

1273 (6) The numerical rankings created by the third-party lottery operator
1274 shall be confidential and shall not be subject to disclosure under the
1275 Freedom of Information Act, as defined in section 1-200.

1276 (e) The department shall review each application to be considered, as
1277 identified by the third-party lottery operator or Social Equity Council,
1278 as applicable, to confirm [it] such application is complete and to
1279 determine whether any application: (1) Includes a backer with a
1280 disqualifying conviction; (2) [includes a backer that would result in
1281 common ownership in violation of] exceeds the cap set forth in section
1282 21a-420i; or (3) has a backer who individually or in connection with a
1283 cannabis business in another state or country has an administrative
1284 finding or judicial decision that may substantively compromise the
1285 integrity of the cannabis program, as determined by the department, or
1286 that precludes its participation in this state's cannabis program. For the
1287 purposes of this subsection, an application shall be deemed complete if
1288 each backer of the applicant completes such backer's background check
1289 submission not later than thirty days after the department sends notice
1290 disclosing that the department has selected such applicant for review.

1291 (f) No additional backers may be added to a cannabis establishment
1292 application between the time of lottery entry, or any initial application
1293 for a license, and when a final license is awarded to the cannabis
1294 establishment, except, if a backer of an applicant or provisional licensee

1295 dies, the applicant or provisional licensee may apply to the
1296 commissioner to replace the deceased backer, provided if such applicant
1297 is a social equity applicant, the Social Equity Council shall review
1298 ownership to ensure such replacement would not cause the applicant to
1299 no longer qualify as a social equity applicant. A backer may be removed
1300 from a cannabis establishment application selected through the general
1301 lottery at any time upon notice to the department.

1302 (g) If an applicant [or a single backer of an applicant] is disqualified
1303 on the basis of any of the criteria set forth in subsection (e) of this section,
1304 the entire application shall be denied, and such denial shall be a final
1305 decision of the department [, provided backers of the applicant entity
1306 named in the lottery application submission may be removed prior to
1307 submission of a final license application unless such removal would
1308 result in a social equity applicant no longer qualifying as a social equity
1309 applicant. If] unless the applicant removes [any backer] all backers that
1310 would cause [the applicant to be denied based on subsection (e) of this
1311 section, then the applicant entity shall not be denied due to such backer's
1312 prior involvement if such backer is removed within thirty days of notice
1313 by the department of the disqualification of a backer] such denial not
1314 later than thirty days after the department sends notice to the applicant
1315 disclosing such denial. Any change to a social equity applicant shall be
1316 reviewed and approved by the Social Equity Council before such change
1317 is reviewed by the department. Not later than thirty days after [service
1318 of] the department sends notice [upon] to the applicant [of a] disclosing
1319 such denial, the applicant may appeal such denial to the Superior Court,
1320 [in accordance with section 4-183.]

1321 (h) For each application denied pursuant to subsection (e) of this
1322 section, the department may, within its discretion, request that the third-
1323 party lottery operator identify the next-ranked application in the
1324 applicable lottery. If the applicant that was denied was a social equity
1325 applicant, the next ranked social equity applicant shall first be reviewed
1326 by the Social Equity Council to confirm that the applicant qualifies as a
1327 social equity applicant prior to being further reviewed by the
1328 department. This process may continue until the department has

1329 identified for further consideration the number of applications
1330 equivalent to the maximum number set forth on its Internet web site
1331 pursuant to subsection (b) of this section. If the number of applications
1332 remaining is less than the maximum number posted on the
1333 department's Internet web site, the department shall award fewer
1334 licenses. To the extent the denials result in less than fifty per cent of
1335 applicants being social equity applicants, the department shall continue
1336 to review and issue provisional and final licenses for the remaining
1337 applications, but shall reopen the application period only for social
1338 equity applicants.

1339 (i) All applicants selected in the lottery and not denied shall be
1340 provided a provisional license application, which shall be submitted in
1341 a form and manner prescribed by the commissioner. [Applicants]
1342 Lottery applicants shall have sixty days from the date they receive their
1343 provisional application to complete the application. The right to apply
1344 for a provisional license is nontransferable. Upon receiving a
1345 provisional application from an applicant, the department shall review
1346 the application for completeness and to confirm that all information
1347 provided is acceptable and in compliance with this section and any
1348 regulations adopted under this section. If a provisional application does
1349 not meet the standards set forth in this section, the applicant shall not
1350 be provided a provisional license. A provisional license issued to a
1351 lottery applicant shall expire after fourteen months and shall not be
1352 renewed. Upon granting a provisional license, the department shall
1353 notify the applicant of the project labor agreement requirements of
1354 section 21a-421e. A provisional licensee may apply for a final license of
1355 the license type for which the licensee applied during the initial
1356 application period. A provisional license shall be nontransferable. If the
1357 provisional application does not meet the standards set forth in this
1358 section or is not completed within sixty days, the applicant shall not
1359 receive a provisional license. The decision of the department not to
1360 award a provisional license shall be final and may be appealed in
1361 accordance with section 4-183. Nothing in this section shall prevent a
1362 provisional applicant from submitting an application for a future

1363 lottery.

1364 Sec. 12. Subsection (e) of section 21a-420j of the general statutes is
1365 repealed and the following is substituted in lieu thereof (*Effective from*
1366 *passage*):

1367 (e) Equity joint ventures that are retailers or hybrid retailers that share
1368 a common cultivator or cultivator backer shall not be located within
1369 twenty miles of [another commonly owned equity joint venture] each
1370 other.

1371 Sec. 13. Subsection (f) of section 21a-420m of the general statutes is
1372 repealed and the following is substituted in lieu thereof (*Effective from*
1373 *passage*):

1374 (f) Equity joint ventures that are retailers or hybrid retailers that share
1375 a common producer or producer backer [and that are retailers or hybrid
1376 retailers] shall not be located within twenty miles of [another commonly
1377 owned equity joint venture] each other.

1378 Sec. 14. Subsection (b) of section 21a-420m of the general statutes is
1379 repealed and the following is substituted in lieu thereof (*Effective October*
1380 *1, 2023*):

1381 (b) The equity joint venture shall be in any cannabis establishment
1382 licensed business, other than a cultivator license, provided such equity
1383 joint venture is at least fifty per cent owned and controlled by an
1384 individual or individuals who meet, or the equity joint venture
1385 applicant is an individual who meets, the criteria established in
1386 subparagraphs (A) and (B) of subdivision [(48)] (47) of section 21a-420,
1387 as amended by this act.

1388 Sec. 15. Subsection (d) of section 21a-420n of the general statutes is
1389 repealed and the following is substituted in lieu thereof (*Effective October*
1390 *1, 2023*):

1391 (d) A cultivator may sell, transfer or transport its cannabis to a
1392 dispensary facility, hybrid retailer, retailer, food and beverage

1393 manufacturer, product manufacturer, research program, cannabis
1394 testing laboratory or product packager utilizing its own employees or a
1395 transporter. A cultivator shall not sell, transfer or deliver to consumers,
1396 qualifying patients or caregivers, directly or through a delivery service.

1397 Sec. 16. Subsection (e) of section 21a-420p of the general statutes is
1398 repealed and the following is substituted in lieu thereof (*Effective October*
1399 *1, 2023*):

1400 (e) A micro-cultivator may sell, transfer or transport its cannabis to a
1401 dispensary facility, hybrid retailer, retailer, delivery service, food and
1402 beverage manufacturer, product manufacturer, research program,
1403 cannabis testing laboratory or product packager, provided the cannabis
1404 is cultivated, grown and propagated at the micro-cultivator's licensed
1405 establishment and transported utilizing the micro-cultivator's own
1406 employees or a transporter. A micro-cultivator shall not gift or transfer
1407 cannabis or cannabis products at no cost to a consumer as part of a
1408 commercial transaction.

1409 Sec. 17. Subsection (b) of section 21a-420r of the general statutes is
1410 repealed and the following is substituted in lieu thereof (*Effective October*
1411 *1, 2023*):

1412 (b) A retailer may obtain cannabis from a cultivator, micro-cultivator,
1413 producer, product packager, food and beverage manufacturer, product
1414 manufacturer or transporter or an undeliverable return from a delivery
1415 service. A retailer may sell, transport or transfer cannabis or cannabis
1416 products to a delivery service, cannabis testing laboratory or research
1417 program. A retailer may sell cannabis to a consumer or research
1418 program. A retailer may not conduct sales of medical marijuana
1419 products nor offer discounts or other inducements to qualifying patients
1420 or caregivers. A retailer shall not gift or transfer cannabis at no cost to a
1421 consumer as part of a commercial transaction.

1422 Sec. 18. Subsection (f) of section 21a-420u of the general statutes is
1423 repealed and the following is substituted in lieu thereof (*Effective from*
1424 *passage*):

1425 (f) Equity joint ventures that are retailers or hybrid retailers that share
1426 a common dispensary facility or dispensary facility backer owner shall
1427 not be located within twenty miles of [another commonly owned equity
1428 joint venture] each other.

1429 Sec. 19. Subsections (b) to (d), inclusive, of section 21a-420u of the
1430 general statutes are repealed and the following is substituted in lieu
1431 thereof (*Effective October 1, 2023*):

1432 (b) Any equity joint venture created under this section shall be
1433 created for the development of a cannabis establishment, other than a
1434 cultivator, provided such equity joint venture is at least fifty per cent
1435 owned and controlled by an individual or individuals who meet, or the
1436 equity joint venture applicant is an individual who meets, the criteria
1437 established in subparagraphs (A) and (B) of subdivision [(48)] (47) of
1438 section 21a-420, as amended by this act.

1439 (c) An equity joint venture applicant shall submit an application to
1440 the Social Equity Council that may include, but need not be limited to,
1441 evidence of business formation, ownership allocation, terms of
1442 ownership and financing and proof of social equity status. The equity
1443 joint venture applicant shall submit to the Social Equity Council
1444 information including, but not limited to, the organizing documents of
1445 the entity that outline the ownership stake of each backer, initial backer
1446 investment and payout information to enable the council to determine
1447 the terms of ownership.

1448 (d) Upon receipt of written approval of the equity joint venture by
1449 the Social Equity Council, the equity joint venture applicant shall apply
1450 for a license from the department in the same form as required by all
1451 other licensees of the same license type and subject to the same fees as
1452 required by all other licensees of the same license type, except that such
1453 application shall not be subject to the lottery process.

1454 Sec. 20. Subsections (a) to (d), inclusive, of section 21a-421bb of the
1455 general statutes are repealed and the following is substituted in lieu
1456 thereof (*Effective October 1, 2023*):

1457 (a) No person, other than the holder of a cannabis establishment
1458 license issued [by this state] pursuant to this chapter or a person who
1459 provides professional services related to the purchase, sale or use of
1460 cannabis, shall advertise any cannabis or services related to cannabis in
1461 this state.

1462 (b) Except as provided in subsection (d) of this section, cannabis
1463 establishments shall not:

1464 (1) Advertise, including, but not limited to, through a business name
1465 or logo, cannabis, cannabis paraphernalia or goods or services related to
1466 cannabis:

1467 (A) In ways that target or are designed to appeal to individuals under
1468 twenty-one years of age, including, but not limited to, spokespersons or
1469 celebrities who appeal to individuals under the legal age to purchase
1470 cannabis or cannabis products, depictions of a person under twenty-five
1471 years of age consuming cannabis, or, the inclusion of objects, such as
1472 toys, characters or cartoon characters, suggesting the presence of a
1473 person under twenty-one years of age, or any other depiction designed
1474 in any manner to be appealing to a person under twenty-one years of
1475 age; or

1476 (B) By using any image, or any other visual representation, of the
1477 cannabis plant or any part of the cannabis plant, including, but not
1478 limited to, the leaf of the cannabis plant;

1479 (2) Engage in any advertising by means of any form of billboard
1480 within one thousand five hundred feet of an elementary or secondary
1481 school ground or a house of worship, recreation center or facility, child
1482 care center, playground, public park or library, or engage in any
1483 advertising by means of [an electronic or illuminated] a billboard
1484 between the hours of six o'clock a.m. and eleven o'clock p.m.;

1485 (3) Engage in advertising by means of any television, radio, Internet,
1486 mobile application, social media or other electronic communication,
1487 billboard or other outdoor signage, or print publication unless the

1488 cannabis establishment has reliable evidence that at least ninety per cent
1489 of the audience for the advertisement is reasonably expected to be
1490 twenty-one years of age or older;

1491 (4) Engage in advertising or marketing directed toward location-
1492 based devices, including, but not limited to, cellular phones, unless the
1493 marketing is a mobile device application installed on the device by the
1494 owner of the device who is twenty-one years of age or older and
1495 includes a permanent and easy opt-out feature and warnings that the
1496 use of cannabis is restricted to persons twenty-one years of age or older;

1497 (5) Advertise cannabis or cannabis products in a manner claiming or
1498 implying, or permit any employee of the cannabis establishment to
1499 claim or imply, that such products have curative or therapeutic effects,
1500 or that any other medical claim is true, or allow any employee to
1501 promote cannabis for a wellness purpose unless such claims are
1502 substantiated as set forth in regulations adopted under chapter 420f or
1503 verbally conveyed by a licensed pharmacist or other licensed medical
1504 practitioner in the course of business in, or while representing, a hybrid
1505 retail or dispensary facility;

1506 (6) Sponsor charitable, sports, musical, artistic, cultural, social or
1507 other similar events or advertising at, or in connection with, such an
1508 event unless the cannabis establishment has reliable evidence that (A)
1509 not more than ten per cent of the in-person audience at the event is
1510 reasonably expected to be under the legal age to purchase cannabis or
1511 cannabis products, and (B) not more than ten per cent of the audience
1512 that will watch, listen or participate in the event is expected to be under
1513 the legal age to purchase cannabis products;

1514 (7) Advertise cannabis, cannabis products or cannabis paraphernalia
1515 in any physical form visible to the public within five hundred feet of an
1516 elementary or secondary school ground or a recreation center or facility,
1517 child care center, playground, public park or library;

1518 (8) Cultivate cannabis or manufacture cannabis products for
1519 distribution outside of this state in violation of federal law, advertise in

1520 any way that encourages the transportation of cannabis across state lines
1521 or otherwise encourages illegal activity;

1522 (9) Except for dispensary facilities and hybrid retailers, exhibit within
1523 or upon the outside of the facility used in the operation of a cannabis
1524 establishment, or include in any advertisement, the word "dispensary"
1525 or any variation of such term or any other words, displays or symbols
1526 indicating that such store, shop or place of business is a dispensary;

1527 (10) Exhibit within or upon the outside of the premises subject to the
1528 cannabis establishment license, or include in any advertisement the
1529 words "drug store", "pharmacy", "apothecary", "drug", "drugs" or
1530 "medicine shop" or any combination of such terms or any other words,
1531 displays or symbols indicating that such store, shop or place of business
1532 is a pharmacy;

1533 (11) Advertise on or in public or private vehicles or at bus stops, taxi
1534 stands, transportation waiting areas, train stations, airports or other
1535 similar transportation venues including, but not limited to, vinyl-
1536 wrapped vehicles or signs or logos on transportation vehicles not
1537 owned by a cannabis establishment;

1538 (12) Display cannabis, cannabis products or any image, or any other
1539 visual representation, of the cannabis plant or any part of the cannabis
1540 plant, including, but not limited to, the leaf of the cannabis plant, so as
1541 to be clearly visible to a person from the exterior of the facility used in
1542 the operation of a cannabis establishment, or display signs or other
1543 printed material advertising any brand or any kind of cannabis or
1544 cannabis product, or including any image, or any other visual
1545 representation, of the cannabis plant or any part of the cannabis plant,
1546 including, but not limited to, the leaf of the cannabis plant, on the
1547 exterior of any facility used in the operation of a cannabis establishment;

1548 (13) Utilize radio or loudspeaker, in a vehicle or in or outside of a
1549 facility used in the operation of a cannabis establishment, for the
1550 purposes of advertising the sale of cannabis or cannabis products; or

1551 (14) Operate any web site advertising or depicting cannabis, cannabis
1552 products or cannabis paraphernalia unless such web site verifies that
1553 the entrants or users are twenty-one years of age or older.

1554 (c) Except as provided in subsection (d) of this section, any
1555 advertisements from a cannabis establishment shall contain the
1556 following warning: "Do not use cannabis if you are under twenty-one
1557 years of age. Keep cannabis out of the reach of children." In a print or
1558 visual medium, such warning shall be conspicuous, easily legible and
1559 shall take up not less than ten per cent of the advertisement space. In an
1560 audio medium, such warning shall be at the same speed as the rest of
1561 the advertisement and be easily intelligible.

1562 (d) Any outdoor signage, including, but not limited to, any
1563 monument sign, pylon sign or wayfinding sign, shall be deemed to
1564 satisfy the audience requirement established in subdivision (3) of
1565 subsection (b) of this section, be exempt from the distance requirement
1566 established in subdivision (7) of subsection (b) of this section and [shall]
1567 not be required to contain the warning required under subsection (c) of
1568 this section, if such outdoor signage:

1569 (1) Contains only the name and logo of the cannabis establishment;

1570 (2) Does not include any image, or any other visual representation, of
1571 the cannabis plant or any part of the cannabis plant, including, but not
1572 limited to, the leaf of the cannabis plant;

1573 (3) Is comprised of not more than three colors; and

1574 (4) Is located:

1575 (A) On the cannabis establishment's premises, regardless of whether
1576 such cannabis establishment leases or owns such premises; or

1577 (B) On any commercial property occupied by multiple tenants
1578 including such cannabis establishment.

1579 Sec. 21. Subsection (a) of section 47a-9a of the general statutes is

1580 repealed and the following is substituted in lieu thereof (*Effective October*
1581 *1, 2023*):

1582 (a) As used in this section, "tenant", "landlord" and "dwelling unit"
1583 have the same meanings as provided in section 47a-1. Except as
1584 provided in this section, a landlord or property manager may not refuse
1585 to rent to a prospective tenant or an existing tenant, or otherwise
1586 discriminate against a prospective tenant or an existing tenant, based on
1587 a past conviction for possession of [a cannabis-type substance] cannabis
1588 under section 21a-279a or for a past conviction for possession of four or
1589 fewer ounces of cannabis plant material, and any equivalencies and
1590 combinations thereof, pursuant to subsection (i) of section 21a-279a in
1591 any other jurisdiction.

1592 Sec. 22. Section 22-61l of the general statutes is repealed and the
1593 following is substituted in lieu thereof (*Effective October 1, 2023*):

1594 (a) For the purpose of this section and section 22-61m, as amended by
1595 this act, the following terms have the same meaning as provided in 7
1596 CFR 990.1, as amended from time to time: "Acceptable hemp THC level",
1597 "Agricultural marketing service", "Audit", "Cannabis", "Conviction",
1598 "Corrective action plan", "Culpable mental state greater than
1599 negligence", "Decarboxylated", "Decarboxylation", "Disposal", "Dry
1600 weight basis", "Gas chromatography", "Geospatial location", "Handle",
1601 "Liquid chromatography", "Immature plants", "Information sharing
1602 system", "Measurement of uncertainty", "Negligence",
1603 "Phytocannabinoid", "Postdecarboxylation", "Remediation", "Reverse
1604 distributor" and "Total THC". In addition, for the purpose of this section
1605 and section 22-61m, as amended by this act:

1606 (1) "Cannabidiol" or "CBD" means the nonpsychotropic compound by
1607 the same name;

1608 (2) "Certificate of analysis" means a certificate from a laboratory
1609 describing the results of the laboratory's testing of a sample;

1610 (3) "Commissioner" means the Commissioner of Agriculture, or the

1611 commissioner's designated agent;

1612 (4) "Cultivate" means to plant, grow, harvest, handle and store a plant
1613 or crop;

1614 (5) "Federal act" means the United States Agricultural Marketing Act
1615 of 1946, 7 USC 1639o et seq., as amended from time to time;

1616 (6) "Department" means the Department of Agriculture;

1617 (7) "Hemp" has the same meaning as provided in the federal act;

1618 (8) "Hemp products" means all manufacturer hemp products and
1619 producer hemp products;

1620 (9) "Independent testing laboratory" means a facility:

1621 (A) For which no person who has any direct or indirect financial or
1622 managerial interest in the laboratory and also has any direct or indirect
1623 interest in a facility that:

1624 (i) Produces, distributes, manufactures or sells hemp or hemp
1625 products, or marijuana in any state or territory of the United States; or

1626 (ii) Cultivates, processes, distributes, dispenses or sells marijuana;
1627 and

1628 (B) That is accredited as a laboratory in compliance with section 21a-
1629 408-59 of the regulations of Connecticut state agencies;

1630 (10) "Laboratory" means a laboratory that meets the requirements of
1631 7 CFR 990.3 and that is accredited as a testing laboratory to International
1632 Organization for Standardization (ISO) 17025 by a third-party
1633 accrediting body such as the American Association for Laboratory
1634 Accreditation or the Assured Calibration and Laboratory Accreditation
1635 Select Services;

1636 (11) "Law enforcement agency" means the Connecticut State Police,
1637 the United States Drug Enforcement Administration, the Department of

1638 Agriculture, the Department of Consumer Protection Drug Control
1639 Division or any other federal, state or local law enforcement agency or
1640 drug suppression unit;

1641 (12) "Licensee" means an individual or entity that possesses a license
1642 to produce or manufacture hemp or hemp products in this state;

1643 (13) "Manufacture" means the conversion of the hemp plant into a by-
1644 product by means of adding heat, solvents or any method of extraction
1645 that modifies the original composition of the plant for the purpose of
1646 creating a manufacturer hemp product for commercial or research
1647 purposes;

1648 (14) "Manufacturer" means a person in the state licensed by the
1649 Commissioner of Consumer Protection to manufacture, handle, store
1650 and market manufacturer hemp products pursuant to the provisions of
1651 section 22-61m, as amended by this act, and any regulation adopted
1652 pursuant to section 22-61m, as amended by this act;

1653 (15) "Marijuana" has the same meaning as provided in section 21a-
1654 240, as amended by this act;

1655 (16) "Market" or "marketing" means promoting, distributing or
1656 selling a hemp product within the state, in another state or outside of
1657 the United States and includes efforts to advertise and gather
1658 information about the needs or preferences of potential consumers or
1659 suppliers;

1660 (17) "On-site manager" means the individual designated by the
1661 producer license applicant or producer responsible for on-site
1662 management and operations of a licensed producer;

1663 (18) "Pesticide" has the same meaning as "pesticide chemical" as
1664 provided in section 21a-92;

1665 (19) "Lot" means a contiguous area in a field, greenhouse or indoor
1666 growing structure containing the same variety or strain of hemp
1667 throughout the area;

1668 (20) "Post-harvest sample" means a representative sample of the form
1669 of hemp taken from the harvested hemp from a particular lot's harvest
1670 that is collected in accordance with the procedures established by the
1671 commissioner;

1672 (21) "Pre-harvest sample" means a composite, representative portion
1673 from plants in a hemp lot, that is collected in accordance with the
1674 procedures established by the commissioner;

1675 (22) "Produce" means to cultivate hemp or create any producer hemp
1676 product;

1677 (23) "State plan" means a state plan, as described in the federal act and
1678 as authorized pursuant to this section;

1679 (24) "THC" means delta-9-tetrahydrocannabinol;

1680 (25) "Controlled Substances Act" or "CSA" means the Controlled
1681 Substances Act as codified in 21 USC 801 et seq.;

1682 (26) "Criminal history report" means the fingerprint-based state and
1683 national criminal history record information obtained in accordance
1684 with section 29-17a;

1685 (27) "Drug Enforcement Administration" or "DEA" means the United
1686 States Drug Enforcement Administration;

1687 (28) "Farm service agency" or "FSA" means an agency of the United
1688 States Department of Agriculture;

1689 (29) "Key participant" means a sole proprietor, a partner in
1690 partnership or a person with executive managerial control in an entity,
1691 including persons such as a chief executive officer, chief operating
1692 officer and chief financial officer;

1693 (30) "Manufacturer hemp product" means a commodity
1694 manufactured from the hemp plant, for commercial or research
1695 purposes, that is intended for human ingestion, inhalation, absorption

1696 or other internal consumption, that contains a THC concentration of not
1697 more than 0.3 per cent on a dry weight basis or per volume or weight of
1698 such manufacturer hemp product;

1699 (31) "Producer" means an individual or entity licensed by the
1700 commissioner to produce and market producer hemp products
1701 pursuant to the federal act, the state plan, the provisions of this section
1702 and the regulations adopted pursuant to this section;

1703 (32) "Producer hemp product" means any of the following produced
1704 in this state: Raw hemp product, fiber-based hemp product or animal
1705 hemp food product, and each of which contains a THC concentration of
1706 not more than 0.3 per cent on a dry weight basis or per volume or weight
1707 of such producer hemp product;

1708 (33) "USDA" means the United States Department of Agriculture;

1709 (34) "Entity" means a corporation, joint stock company, association,
1710 limited partnership, limited liability partnership, limited liability
1711 company, irrevocable trust, estate, charitable organization or other
1712 similar organization, including any such organization participating in
1713 the hemp production as a partner in a general partnership, a participant
1714 in a joint venture or a participant in a similar organization; and

1715 (35) "Homogenize" means to blend hemp into a mixture that has a
1716 uniform quality and content throughout such mixture.

1717 (b) The Commissioner of Agriculture shall establish and operate an
1718 agricultural pilot program, as defined in 7 USC 5940, as amended from
1719 time to time, for hemp research to enable the department, and its
1720 licensees, to study methods of producing and marketing hemp. All
1721 producer licensees licensed pursuant to this section shall be participants
1722 in the state agricultural pilot program for hemp research. Until such
1723 time as said commissioner adopts regulations, in accordance with the
1724 provisions of chapter 54, the Department of Agriculture shall utilize
1725 procedures and guidance policies that the commissioner deems to be
1726 consistent with the provisions of 7 USC 5940, as amended from time to

1727 time, provided such procedures and guidance policies shall, at a
1728 minimum, require: (1) The commissioner to certify and register any site
1729 used to grow hemp, (2) any person who produces hemp to produce
1730 plants that meet the definition of hemp and verify such, (3) the
1731 maintenance of records by any person who grows hemp and the
1732 availability of inspection of such records by the commissioner, and (4)
1733 verification of compliance with the definition of hemp by a laboratory,
1734 at the expense of any licensee. The provisions of this section shall take
1735 precedence over any such procedure or guidance policy. Participants in
1736 the state agricultural pilot program for hemp research shall be licensed
1737 in accordance with the provisions of this section. Such pilot program
1738 shall operate until the earlier of the date of a fully approved state plan
1739 under the federal act, as described in this section, or the date of repeal
1740 of the federal law permitting the state's agricultural pilot program for
1741 hemp research.

1742 (c) (1) The commissioner shall prepare a state plan in accordance with
1743 the federal act and 7 CFR 990.3, for approval by the Governor, in
1744 consultation with the office of the Chief State's Attorney and the
1745 Attorney General. The state plan, once approved by the Governor and
1746 the Attorney General, shall be submitted by the commissioner to the
1747 United States Secretary of Agriculture for [his or her] such secretary's
1748 approval. The commissioner shall have the authority to amend the state
1749 plan, in consultation with the Governor, the Attorney General and the
1750 office of the Chief State's Attorney, as necessary to comply with the
1751 federal act.

1752 (2) The commissioner shall operate the state plan, which shall
1753 include, at a minimum, the following requirements:

1754 (A) The sampling of hemp shall comply, at a minimum, with 7 CFR
1755 990.3 and be performed by an authorized sampling agent;

1756 (B) The testing of hemp shall comply, at a minimum, with 7 CFR
1757 990.3;

1758 (C) The control, remediation and disposal of noncompliant cannabis

1759 plants shall comply with 7 CFR 990.27 and 7 CFR 990.3;

1760 (D) The department shall comply with all recordkeeping and
1761 reporting requirements in the federal act, and 7 CFR 990.1 to 7 CFR
1762 990.71, inclusive;

1763 (E) The department shall comply with enforcement procedures in 7
1764 CFR 990.6;

1765 (F) The department shall conduct annual inspections of, at a
1766 minimum, a random sample of producers to verify that hemp is not
1767 produced in violation of the federal act, the state plan and the provisions
1768 of this section, and shall enforce any violation as provided for in the
1769 federal act and as defined in 7 CFR 990.6;

1770 (G) Producers shall report their required license, lot and hemp crop
1771 acreage information to FSA, in accordance with the requirements in 7
1772 CFR 990.7; and

1773 (H) Producers shall report to the commissioner the total acreage of
1774 hemp planted, harvested and, if applicable, disposed of or remediated,
1775 and such other information as the commissioner may require.

1776 (3) All sampling and testing of hemp shall be done using protocols
1777 that are at least as statistically valid as the USDA's published protocols
1778 for sampling and testing of hemp, which protocols shall be posted on
1779 the department's Internet web site. During a scheduled sample
1780 collection, the producer, or an authorized representative of the
1781 producer, shall be present at the lot. A producer shall not harvest the
1782 cannabis crop prior to the taking of samples. Samples of hemp plant
1783 material from one lot shall not be commingled with hemp plant material
1784 from other lots. Lots tested and not certified by a laboratory at or below
1785 the acceptable hemp THC level shall be handled, remediated and
1786 disposed of in accordance with the federal act, the provisions of this
1787 section and the state plan, as applicable.

1788 (4) The commissioner shall collect, maintain and provide to the

1789 USDA, on a timely basis, and not less than once per month, license status
1790 of each hemp producer, contact information for each hemp producer
1791 licensed in the state, including lot legal descriptions and locations, and
1792 any changes to such information. The commissioner shall also report to
1793 the USDA, on a timely basis, and not less than once per month, all
1794 required hemp test results and disposal information for all
1795 nonconforming hemp plants and plant material. Such information shall
1796 not include state and federal fingerprint-based records pursuant to
1797 section 29-17a.

1798 (d) The commissioner shall have the authority to enforce the federal
1799 act, as amended from time to time, the state plan, this section and any
1800 regulations adopted in accordance with the federal act and chapter 54
1801 for hemp production in the state. The commissioner shall have the
1802 authority to enforce the applicable standards for producer hemp
1803 products. The commissioner may consult, collaborate and enter into
1804 cooperative agreements with any federal or state agency, municipality
1805 or political subdivision of the state concerning application of the
1806 provisions of the federal act and the regulations adopted pursuant to the
1807 federal act, as may be necessary to carry out the provisions of this
1808 section.

1809 (e) Any person who produces hemp shall: (1) Be licensed by the
1810 commissioner; (2) comply with the federal act, the state plan, the
1811 provisions of this section and any regulation adopted pursuant to this
1812 section; and (3) transport hemp and hemp samples in a manner and with
1813 such documentation as required by the commissioner.

1814 (f) Any person who sells hemp products shall not be required to be
1815 licensed provided such person only engages in: (1) The retail or
1816 wholesale sale of hemp or hemp products in which no further
1817 producing or manufacturing of the hemp products occurs and the hemp
1818 products are acquired from a person authorized under the laws of this
1819 state or another state, territory or possession of the United States or
1820 another sovereign entity to possess and sell such hemp products; (2) the
1821 acquisition of hemp or hemp products for the sole purpose of product

1822 distribution for resale; or (3) the retail sale of hemp products that are
1823 otherwise authorized under federal or state law.

1824 (g) Any applicant for a license pursuant to this section shall meet each
1825 of the following requirements, as applicable:

1826 (1) Each applicant, whether an individual or an entity, shall submit
1827 an application for a license that consists, at a minimum, of the following:
1828 (A) The name, telephone number, electronic mail address, business
1829 address and address of any individual who is the applicant, the full
1830 name of any entity that is the applicant, including any applicable
1831 principal business location and the full name, title and electronic mail
1832 address of each key participant; (B) the name and address of each lot for
1833 the hemp cultivation or producing location; (C) the geospatial location
1834 of each lot by means of global positioning system coordinates and legal
1835 description of each lot used for the hemp cultivation; (D) the acreage
1836 size of each lot where the hemp will be cultivated; (E) written consent
1837 allowing the commissioner to conduct both scheduled and random
1838 inspections of and around the premises on which the hemp is to be
1839 cultivated, harvested, stored and produced; (F) the applicant's employer
1840 identification number or the applicant's Social Security number if an
1841 employer identification number is not available; and (G) any other
1842 information as may be required by the commissioner;

1843 (2) Each individual who is an applicant and each key participant of
1844 any entity applying for a producer license, or renewal thereof, shall
1845 submit to state and national fingerprint-based criminal history records
1846 checks conducted in accordance with section 29-17a, at [his or her] such
1847 individual's own expense;

1848 (3) No individual, including any key participant of any entity, who
1849 has been convicted of any state or federal felony, related to a controlled
1850 substance, shall be eligible to obtain or hold a producer license for ten
1851 years from the date of the conviction, provided such restriction shall not
1852 apply to any individual who lawfully grew hemp with a license,
1853 registration or authorization under any state pilot program authorized

1854 by section 7606 of the Agricultural Act of 2014 before December 20, 2018.
1855 Any individual or entity that materially falsifies any information in an
1856 application pursuant to this section shall be ineligible to obtain a
1857 producer license; and

1858 (4) Each individual or entity who is required by this section to obtain
1859 a producer license shall pay for all costs of sampling, testing, retesting
1860 and resampling any samples at a laboratory for the purpose of
1861 determining the THC concentration level of any cannabis under their
1862 control, or in their possession. Each individual or entity who is required
1863 by this section to obtain a producer license shall pay for all costs of
1864 disposal of all noncompliant cannabis plants under their control, or in
1865 their possession.

1866 (h) Any producer license issued by the commissioner shall expire on
1867 the third following December thirty-first and may be renewed during
1868 the preceding month of October. Such licenses shall not be transferable.

1869 (i) The following fees shall apply for each producer license and
1870 inspection:

1871 (1) A nonrefundable license application fee of fifty dollars, provided
1872 any constituent unit of higher education, state agency or department
1873 shall be exempt from such application fee if such production is for
1874 research purposes;

1875 (2) A nonrefundable triennial producer license fee of four hundred
1876 fifty dollars for up to one acre of planned hemp plantings and thirty
1877 dollars per each additional acre of planned hemp plantings rounded to
1878 the nearest acre, except no license fee charged shall exceed three
1879 thousand dollars, provided any constituent unit of higher education,
1880 state agency or department shall be exempt from such license fee if such
1881 production is for research purposes; and

1882 (3) In the event that resampling by the commissioner is required due
1883 to a test result that shows a violation of any provision of this section or
1884 any regulation adopted pursuant to this section, the licensee shall pay

1885 an inspection fee of fifty dollars. Such fee shall be paid prior to the
1886 inspection and collection of the sample to be used for resampling.

1887 (j) After receipt and review of an application for producer licensure,
1888 the commissioner may grant a triennial license upon a finding that the
1889 applicant meets the applicable requirements. Each producer licensee
1890 shall notify the commissioner of any changes to their application
1891 information, not later than fifteen days after such change. While the
1892 pilot program is in effect, the commissioner may grant a conditional
1893 approval of a producer license, pending receipt of the criminal history
1894 records check required by this section. The commissioner shall assign
1895 each producer with a license or authorization identifier in a format
1896 consistent with 7 CFR 990.3.

1897 (k) Whenever an inspection or investigation conducted by the
1898 commissioner pursuant to this title reveals any violation of the state
1899 plan, this section or any regulation adopted thereunder, the producer
1900 license applicant or respondent, as applicable, shall be notified, in
1901 writing, of such violation and any corrective action to be taken and the
1902 time period within which such corrective action shall be taken. Any such
1903 producer license applicant or respondent may request a hearing,
1904 conducted in accordance with chapter 54, on any such notification. Any
1905 notification issued pursuant to this section shall be made by certified
1906 mail, return receipt requested to the producer license applicant or
1907 respondent's last known address, by in-hand service by the
1908 commissioner or designated agent of the commissioner, electronic mail
1909 service with the consent of the recipient, or by service in accordance
1910 with chapter 896. The commissioner shall report all producer violations
1911 made with a culpable mental state greater than negligence to the United
1912 States Attorney General and the State's Attorney for the judicial district
1913 in which the producer violation occurred.

1914 (l) Nothing in this section shall be construed to limit the
1915 commissioner's authority to issue a cease and desist order pursuant to
1916 section 22-4d, or an emergency order, in order to respond to a condition
1917 that may present a public health hazard, or issue orders necessary to

1918 effectuate the purposes of this section, including, but not limited to,
1919 orders for the embargo, partial destruction, destruction and release of
1920 hemp or hemp products. Any cease and desist order or an emergency
1921 order shall become effective upon service of such order by the
1922 commissioner. Following service of any such order, subsequent
1923 proceedings shall proceed in accordance with the provisions of section
1924 22-4d and the rules of practice for such agency. Any embargo, partial
1925 destruction, destruction or release order issued pursuant to this section
1926 shall be served by certified mail, return receipt requested to the
1927 respondent's last known address, by in-hand service by the
1928 commissioner or designated agent of the commissioner, or by service in
1929 accordance with chapter 896.

1930 (m) Following a hearing conducted in accordance with chapter 54,
1931 the commissioner may impose an administrative civil penalty, not to
1932 exceed two thousand five hundred dollars per violation, and suspend,
1933 revoke or place conditions upon any producer licensee who violates the
1934 provisions of this section or any regulation adopted pursuant to this
1935 section.

1936 (n) (1) Any individual who produces hemp in this state without
1937 obtaining a license pursuant to this section, or who produces hemp in
1938 this state after having a license suspended or revoked shall have
1939 committed an infraction.

1940 (2) Any entity that produces hemp in this state without obtaining a
1941 license pursuant to this section, produces hemp in violation of this
1942 section or produces hemp in this state after having a license suspended
1943 or revoked may be fined not more than two thousand five hundred
1944 dollars per violation, after a hearing conducted in accordance with
1945 chapter 54.

1946 (o) (1) Any negligent violation, as described in the federal act, of this
1947 section or the state plan shall be subject to enforcement in accordance
1948 with the federal act, and the state plan for negligent violations.

1949 (2) For any negligent violation, a producer shall be required to correct

1950 such negligent violation, by means of a corrective action plan approved
1951 by the commissioner. Each corrective action plan shall include, at a
1952 minimum, a reasonable completion deadline for correction of the
1953 negligent violation, periodic reporting to the commissioner for at least
1954 two years and compliance with the state plan.

1955 (3) Any producer that negligently violates the state plan shall not, as
1956 a result of such negligent violation, be referred by the commissioner for
1957 any criminal enforcement action by the federal, state or local
1958 government.

1959 (4) Any producer that negligently violates the state plan three times
1960 during any five-year period shall be ineligible to produce hemp for a
1961 period of five years beginning on the date of the third violation.

1962 (5) The commissioner shall conduct an inspection to determine if the
1963 corrective action plan for a producer who commits any such negligent
1964 violation was properly implemented.

1965 (p) Any person aggrieved by an order issued pursuant to this section
1966 may appeal to the commissioner in accordance with the provisions of
1967 chapter 54. Such appeal shall be made in writing to the commissioner
1968 and received not later than fifteen days after the date of the order. If no
1969 appeal is made pursuant to this subsection the order shall be final.

1970 (q) (1) All documents submitted under this section shall be subject to
1971 disclosure in accordance with chapter 14, except: (A) Information
1972 depicting or describing (i) the test results of any producer, (ii) the
1973 location of any hemp growing, harvesting, processing or storage
1974 location, or (iii) hemp producer location security schematics; and (B) the
1975 results of any criminal history records check.

1976 (2) Notwithstanding the provisions of subdivision (1) of this
1977 subsection, all documents and records submitted or maintained
1978 pursuant to this section shall be disclosed to any law enforcement
1979 agency upon request of such law enforcement agency.

1980 (r) The commissioner may inspect and shall have access to the
1981 buildings, equipment, supplies, vehicles, records, real property and
1982 other information that the commissioner deems necessary to carry out
1983 the commissioner's duties pursuant to this section from any person
1984 participating in producing, handling, storing, marketing or researching
1985 hemp.

1986 (s) All licensees pursuant to this section shall maintain records
1987 required by the federal act, the state plan, this section and any regulation
1988 adopted pursuant to this section. Each licensee shall make such records
1989 available to the department immediately upon request of the
1990 commissioner and in electronic format, if available.

1991 (t) The commissioner may adopt regulations, in accordance with the
1992 provisions of chapter 54, to implement the provisions of this section
1993 including, but not limited to, the labeling of producer hemp products.

1994 [(u) Notwithstanding any provision of the general statutes: (1)
1995 Marijuana does not include hemp or hemp products; (2) THC that does
1996 not exceed 0.3 per cent by dry weight and that is found in hemp shall
1997 not be considered to be THC that constitutes a controlled substance; (3)
1998 hemp-derived cannabidiols, including CBD, shall not constitute
1999 controlled substances or adulterants solely on the basis of containing
2000 CBD; and (4) hemp products that contain one or more hemp-derived
2001 cannabidiols, such as CBD, intended for ingestion shall be considered
2002 foods, not controlled substances or adulterated products solely on the
2003 basis of the containing hemp-derived cannabidiols.]

2004 [(v)] (u) Whenever the commissioner believes or has reasonable cause
2005 to believe that the actions of a licensee or any employee of a producer
2006 licensee are in violation of the federal act, the state plan, or any state law
2007 concerning the growing, cultivation, handling, transporting or
2008 possession of marijuana, the commissioner shall notify the Department
2009 of Emergency Services and Public Protection and the Division of State
2010 Police.

2011 Sec. 23. Section 22-61m of the general statutes is repealed and the

2012 following is substituted in lieu thereof (*Effective October 1, 2023*):

2013 (a) No person shall manufacture in the state without a license to
2014 manufacture issued by the Commissioner of Consumer Protection.

2015 (b) Each applicant for a manufacturer license shall submit an
2016 application on a form and in a manner prescribed by the Commissioner
2017 of Consumer Protection.

2018 (c) The following fees shall apply for a license to manufacture:

2019 (1) A nonrefundable license application fee of seventy-five dollars;
2020 and

2021 (2) A nonrefundable licensing fee of three hundred seventy-five
2022 dollars for a license to manufacture hemp.

2023 (d) A license to manufacture issued by the Commissioner of
2024 Consumer Protection pursuant to this section shall expire triennially on
2025 June thirtieth. Such licenses shall not be transferable.

2026 (e) In accordance with a hearing held pursuant to chapter 54, the
2027 Commissioner of Consumer Protection may deny, suspend or revoke a
2028 manufacturer license, issue fines of not more than two thousand five
2029 hundred dollars per violation and place conditions upon a
2030 manufacturer licensee who violates the provisions of this section and
2031 any regulation adopted pursuant to this section.

2032 (f) (1) Any individual who manufactures in this state without
2033 obtaining a license pursuant to this section or who manufactures in this
2034 state after such entity's license is suspended or revoked shall be fined
2035 two hundred fifty dollars in accordance with the provisions of section
2036 51-164n.

2037 (2) Any entity who manufactures in this state without obtaining a
2038 license pursuant to this section, or who manufactures in this state after
2039 having a license suspended, shall be fined not more than two thousand
2040 five hundred dollars per violation after a hearing conducted in

2041 accordance with the provisions of chapter 54.

2042 (g) Nothing in this chapter or any regulations adopted pursuant to
2043 this chapter shall be construed to apply to persons licensed pursuant to
2044 section 21a-408i nor to require persons licensed pursuant to said section
2045 to obtain a license pursuant to this chapter.

2046 (h) The Commissioner of Consumer Protection may inspect and shall
2047 have access to the buildings, equipment, supplies, vehicles, records, real
2048 property and other information of any manufacturer applicant or
2049 licensee that the commissioner deems necessary to carry out the
2050 commissioner's duties pursuant to this section.

2051 (i) (1) Each manufacturer shall follow the protocol in this subsection
2052 for disposing of cannabis in the event that any hemp or hemp product
2053 is deemed to exceed the prescribed THC concentration, as determined
2054 by the Commissioner of Consumer Protection, or a manufacturer
2055 licensee in possession of hemp or hemp products who desires to dispose
2056 of obsolete, misbranded, excess or otherwise undesired product. Each
2057 manufacturer licensee shall be responsible for all costs of disposal of
2058 hemp samples and any hemp produced by such licensee that violates
2059 the provisions of this section or any regulation adopted pursuant to this
2060 section. Any cannabis that exceeds the prescribed THC concentration
2061 allowable in hemp or hemp products shall be immediately embargoed
2062 by such manufacturer and clearly labeled as adulterated by such
2063 licensee and such licensee shall immediately notify both the Department
2064 of Consumer Protection and the Department of Agriculture, in writing,
2065 of such adulterated product. Such adulterated product shall be
2066 destroyed and disposed of by the following method, as determined by
2067 the Commissioner of Consumer Protection:

2068 (A) Surrender, without compensation, of such hemp or hemp product
2069 to the Commissioner of Consumer Protection who shall be responsible
2070 for the destruction and disposal of such adulterated product; or

2071 (B) By disposal in a manner prescribed by the Commissioner of
2072 Consumer Protection.

2073 (2) Notwithstanding the provisions of subdivision (1) of this
2074 subsection, upon written request of a manufacturer, the Commissioner
2075 of Consumer Protection may permit such manufacturer to combine
2076 different batches of raw hemp plant material to achieve a THC
2077 concentration of 0.3 per cent on a dry weight basis, in lieu of embargo
2078 or destruction.

2079 (j) The manufacturer or manufacturer's authorized designee
2080 disposing of the hemp or hemp products shall maintain and make
2081 available to the Commissioner of Consumer Protection a record of each
2082 such disposal or destruction of product indicating:

2083 (1) The date, time and location of disposal or destruction;

2084 (2) The manner of disposal or destruction;

2085 (3) The batch or lot information and quantity of hemp or hemp
2086 product disposed of or destroyed; and

2087 (4) The signatures of the persons disposing of the hemp or hemp
2088 products, the authorized representative of the Commissioner of
2089 Consumer Protection and any other persons present during the
2090 disposal.

2091 (k) Any hemp intended to be manufactured into a manufacturer
2092 hemp product shall be tested by an independent testing laboratory
2093 located in this state. A manufacturer licensee shall make available
2094 samples, in an amount and type determined by the Commissioner of
2095 Consumer Protection, of hemp for an independent testing laboratory
2096 employee to select random samples. The independent testing laboratory
2097 shall test each sample [for microbiological contaminants, mycotoxins,
2098 heavy metals and pesticide chemical residue, and for purposes of
2099 conducting an active ingredient analysis, if applicable, as determined by
2100 the Commissioner of Consumer Protection] in accordance with the
2101 laboratory testing standards established in policies, procedures and
2102 regulations adopted by the commissioner pursuant to section 21a-421j.

2103 (l) Once a batch of hemp, intended to be sold as a manufacturer hemp
2104 product, has been homogenized for sample testing and eventual
2105 packaging and sale, until the independent testing laboratory provides
2106 the results from its tests and analysis, the manufacturer licensee shall
2107 segregate and withhold from use the entire batch of hemp that is
2108 intended for use as a manufacturer hemp product, except the samples
2109 that have been removed by the independent testing laboratory for
2110 testing. During this period of segregation, the manufacturer licensee
2111 shall maintain the hemp batch in a secure, cool and dry location, as
2112 prescribed by the Commissioner of Consumer Protection, so as to
2113 prevent the hemp from becoming adulterated. Such manufacturer shall
2114 not manufacture or sell a manufacturer hemp product prior to the time
2115 that the independent testing laboratory completes testing and analysis
2116 and provides such results, in writing, to the manufacturer licensee who
2117 initiated such testing.

2118 (m) An independent testing laboratory shall immediately return or
2119 dispose of any hemp or manufacturer hemp product upon the
2120 completion of any testing, use or research. If an independent testing
2121 laboratory disposes of hemp or manufacturer hemp products, the
2122 laboratory shall dispose of such hemp in the following manner, as
2123 determined by the Commissioner of Consumer Protection:

2124 (1) By surrender, without compensation, of such hemp or
2125 manufacturer hemp product to the Commissioner of Consumer
2126 Protection who shall be responsible for the destruction and disposal of
2127 such hemp or hemp product; or

2128 (2) By disposal in a manner prescribed by the Commissioner of
2129 Consumer Protection.

2130 (n) If a sample does not pass the microbiological, mycotoxin, heavy
2131 metal or pesticide chemical residue test, based on the laboratory testing
2132 standards [prescribed by the Commissioner of Consumer Protection
2133 and published on the Internet web site of the Department of Consumer
2134 Protection] established in policies, procedures and regulations adopted

2135 by the Commissioner of Consumer Protection pursuant to section 21a-
2136 421j, the manufacturer licensee who sent such batch for testing shall:

2137 (1) Retest and reanalyze the hemp from which the sample was taken
2138 by having an employee from the same laboratory randomly select
2139 another sample from the same hemp batch. If the sample used to retest
2140 or reanalyze such hemp yields satisfactory results for all testing
2141 required under this section, an employee from a different laboratory
2142 shall randomly select a different sample from the same hemp batch for
2143 testing. If both samples yield satisfactory results for all testing required
2144 under this section, the hemp batch from which the samples were taken
2145 shall be released for manufacturing, processing and sale;

2146 (2) If a remediation plan sufficient to ensure public health and safety
2147 is submitted to and approved by the commissioner, remediate the hemp
2148 batch from which the sample was taken and have a laboratory employee
2149 randomly select a sample from such remediated hemp batch. If such
2150 randomly selected sample yields satisfactory results for any testing
2151 required under this section, an employee from a different laboratory
2152 shall randomly select a different sample from the same hemp batch for
2153 testing. If both samples yield satisfactory results for all testing required
2154 under this section, the hemp batch from which the samples were taken
2155 may be released for manufacturing, processing or sale; or

2156 (3) If the manufacturer does not retest or remediate, or, if any
2157 subsequent laboratory testing does not yield satisfactory results for any
2158 testing required under this section, dispose of the entire batch from
2159 which the sample was taken in accordance with procedures established
2160 by the Commissioner of Consumer Protection pursuant to subdivision
2161 (1) of subsection (i) of this section.

2162 (o) If a sample passes the microbiological, mycotoxin, heavy metal
2163 and pesticide chemical residue test, the independent testing laboratory
2164 shall release the entire batch for manufacturing, processing or sale.

2165 (p) The independent testing laboratory shall file with the Department
2166 of Consumer Protection an electronic copy of each laboratory test result

2167 for any batch that does not pass the microbiological, mycotoxin, heavy
2168 metal or pesticide chemical residue test, at the same time that it
2169 transmits such results to the manufacturer licensee who requested such
2170 testing. Each independent testing laboratory shall maintain the test
2171 results of each tested batch for a period of three years and shall make
2172 such results available to the Department of Consumer Protection upon
2173 request.

2174 (q) Manufacturer licensees shall maintain records required by the
2175 federal act, this section and any regulation adopted pursuant to this
2176 section. Each manufacturer licensee shall make such records available
2177 to the Department of Consumer Protection immediately upon request
2178 and in electronic format, if available.

2179 (r) The Commissioner of Consumer Protection may adopt
2180 regulations, in accordance with the provisions of chapter 54, to
2181 implement the provisions of this section including, but not limited to,
2182 establishing sampling and testing procedures to ensure compliance
2183 with this section, prescribing storage and disposal procedures for hemp,
2184 marijuana and manufacturer hemp products that fail to pass
2185 Department of Consumer Protection prescribed independent testing
2186 laboratory testing standards and establishing advertising and labeling
2187 requirements for manufacturer hemp products.

2188 (s) Any claim of health impacts, medical effects or physical or mental
2189 benefits shall be prohibited on any advertising for, labeling of or
2190 marketing of manufacturer hemp products. Any violation of this
2191 subsection shall be deemed an unfair or deceptive trade practice under
2192 chapter 735a.

2193 (t) Not later than February 1, 2020, the Commissioners of Agriculture
2194 and Consumer Protection shall submit a report, in accordance with
2195 section 11-4a, to the joint standing committee of the general assembly
2196 having cognizance of matters relating to the environment on the status
2197 of the pilot program, the development of the state plan and any
2198 regulations for such pilot program or state plan. Additionally such

2199 report shall include any legislative recommendations, including, but not
2200 limited to, any recommendations for requiring the registration of any
2201 manufacturer hemp product offered for sale in this state.

2202 (u) Any person who sells manufacturer hemp products shall not be
2203 required to be licensed, provided such person only engages in: (1) The
2204 retail or wholesale sale of manufacturer hemp products in which no
2205 further manufacturing of hemp occurs, provided such manufacturer
2206 hemp products are acquired from a person authorized to manufacture
2207 the manufacturer hemp products under the laws of this state or another
2208 state, territory or possession of the United States or another sovereign
2209 entity; (2) the acquisition of manufacturer hemp products for the sole
2210 purpose of product distribution for resale; or (3) the retail sale of
2211 manufacturer hemp products that is otherwise authorized under federal
2212 or state law.

2213 (v) No manufacturer hemp product offered for sale in this state, or to
2214 a consumer in this state, shall contain any synthetic cannabinoid, as
2215 defined in section 21a-240, as amended by this act.

2216 (w) No manufacturer hemp product offered for sale in this state, or
2217 to a consumer in this state, shall be packaged, presented or advertised
2218 in a manner that is likely to mislead a consumer by incorporating any
2219 statement, brand, design, representation, picture, illustration or other
2220 depiction that: (1) Bears a reasonable resemblance to trademarked or
2221 characteristic packaging of (A) cannabis offered for sale (i) in this state
2222 by a cannabis establishment licensed in this state, or (ii) on tribal land
2223 by a tribal credentialed cannabis entity, or (B) a commercially available
2224 product other than a cannabis product, as defined in section 21a-420, as
2225 amended by this act; or (2) implies that the manufacturer hemp product
2226 (A) is a cannabis product, as defined in section 21a-420, as amended by
2227 this act, (B) contains a total THC concentration greater than three-tenths
2228 per cent on a dry-weight basis, or (C) is a high-THC hemp product, as
2229 defined in section 21a-240, as amended by this act.

2230 [(v)] (x) Notwithstanding any provision of the general statutes: (1)

2231 [Marijuana does not include manufacturer hemp products; (2)] CBD
2232 that is found in manufacturer hemp products shall not be considered a
2233 controlled substance, as defined in section 21a-240, as amended by this
2234 act, or legend drug, as defined in section 20-571; and [(3) cannabinoids]
2235 (2) CBD derived from hemp and contained in manufacturer hemp
2236 products shall not be considered [controlled substances or adulterants]
2237 a controlled substance or adulterant.

2238 Sec. 24. Subsection (a) of section 10-19 of the general statutes is
2239 repealed and the following is substituted in lieu thereof (*Effective October*
2240 *1, 2023*):

2241 (a) The knowledge, skills and attitudes required to understand and
2242 avoid the effects of alcohol, of nicotine or tobacco and of drugs, as
2243 defined in [subdivision (17) of] section 21a-240, as amended by this act,
2244 on health, character, citizenship and personality development shall be
2245 taught every academic year to pupils in all grades in the public schools;
2246 and, in teaching such subjects, textbooks and such other materials as are
2247 necessary shall be used. Annually, at such time and in such manner as
2248 the Commissioner of Education shall request, each local and regional
2249 board of education shall attest to the State Board of Education that all
2250 pupils enrolled in its schools have been taught such subjects pursuant
2251 to this subsection and in accordance with a planned, ongoing and
2252 systematic program of instruction. The content and scheduling of
2253 instruction shall be within the discretion of the local or regional board
2254 of education. Institutions of higher education approved by the State
2255 Board of Education to train teachers shall give instruction on the
2256 subjects prescribed in this section and concerning the best methods of
2257 teaching the same. The State Board of Education and the Board of
2258 Regents for Higher Education in consultation with the Commissioner of
2259 Mental Health and Addiction Services and the Commissioner of Public
2260 Health shall develop health education or other programs for elementary
2261 and secondary schools and for the training of teachers, administrators
2262 and guidance personnel with reference to understanding and avoiding
2263 the effects of nicotine or tobacco, alcohol and drugs.

2264 Sec. 25. Subsection (a) of section 10-220a of the general statutes is
2265 repealed and the following is substituted in lieu thereof (*Effective October*
2266 *1, 2023*):

2267 (a) Each local or regional board of education shall provide an in-
2268 service training program for its teachers, administrators and pupil
2269 personnel who hold the initial educator, provisional educator or
2270 professional educator certificate. Such program shall provide such
2271 teachers, administrators and pupil personnel with information on (1)
2272 the nature and the relationship of alcohol and drugs, as defined in
2273 [subdivision (17) of] section 21a-240, as amended by this act, to health
2274 and personality development, and procedures for discouraging their
2275 abuse, (2) health and mental health risk reduction education that
2276 includes, but need not be limited to, the prevention of risk-taking
2277 behavior by children and the relationship of such behavior to substance
2278 abuse, pregnancy, sexually transmitted diseases, including HIV-
2279 infection and AIDS, as defined in section 19a-581, violence, teen dating
2280 violence, domestic violence and child abuse, (3) school violence
2281 prevention, conflict resolution, the prevention of and response to youth
2282 suicide and the identification and prevention of and response to
2283 bullying, as defined in subsection (a) of section 10-222d, except that
2284 those boards of education that implement any evidence-based model
2285 approach that is approved by the Department of Education and is
2286 consistent with subsection (c) of section 10-145a, sections 10-222d, 10-
2287 222g and 10-222h, subsection (g) of section 10-233c and sections 1 and 3
2288 of public act 08-160, shall not be required to provide in-service training
2289 on the identification and prevention of and response to bullying, (4)
2290 cardiopulmonary resuscitation and other emergency life saving
2291 procedures, (5) the requirements and obligations of a mandated
2292 reporter, (6) the detection and recognition of, and evidence-based
2293 structured literacy interventions for, students with dyslexia, as defined
2294 in section 10-3d, (7) culturally responsive pedagogy and practice,
2295 including, but not limited to, the video training module relating to
2296 implicit bias and anti-bias in the hiring process in accordance with the
2297 provisions of section 10-156hh, and (8) the principles and practices of

2298 social-emotional learning and restorative practices. Each local or
2299 regional board of education may allow any paraprofessional or
2300 noncertified employee to participate, on a voluntary basis, in any in-
2301 service training program provided pursuant to this section.

2302 Sec. 26. Subsection (e) of section 10-221 of the general statutes is
2303 repealed and the following is substituted in lieu thereof (*Effective October*
2304 *1, 2023*):

2305 (e) Each local and regional board of education shall develop, adopt
2306 and implement policies and procedures in conformity with section 10-
2307 154a for (1) dealing with the use, sale or possession of alcohol or
2308 controlled drugs, as defined in [subdivision (8) of] section 21a-240, as
2309 amended by this act, by public school students on school property,
2310 including a process for coordination with, and referral of such students
2311 to, appropriate agencies, and (2) cooperating with law enforcement
2312 officials. On and after January 1, 2022, no such policies and procedures
2313 shall result in a student facing greater discipline, punishment or
2314 sanction for use, sale or possession of cannabis than a student would
2315 face for the use, sale or possession of alcohol.

2316 Sec. 27. Subsections (a) to (e), inclusive, of section 10-233d of the
2317 general statutes are repealed and the following is substituted in lieu
2318 thereof (*Effective October 1, 2023*):

2319 (a) (1) Any local or regional board of education, at a meeting at which
2320 three or more members of such board are present, or the impartial
2321 hearing board established pursuant to subsection (b) of this section, may
2322 expel, subject to the provisions of this subsection, any pupil in grades
2323 three to twelve, inclusive, whose conduct on school grounds or at a
2324 school-sponsored activity is violative of a publicized policy of such
2325 board and is seriously disruptive of the educational process or
2326 endangers persons or property or whose conduct off school grounds is
2327 violative of such policy and is seriously disruptive of the educational
2328 process, provided a majority of the board members sitting in the
2329 expulsion hearing vote to expel and that at least three affirmative votes

2330 for expulsion are cast. In making a determination as to whether conduct
2331 is seriously disruptive of the educational process, the board of education
2332 or impartial hearing board may consider, but such consideration shall
2333 not be limited to: (A) Whether the incident occurred within close
2334 proximity of a school; (B) whether other students from the school were
2335 involved or whether there was any gang involvement; (C) whether the
2336 conduct involved violence, threats of violence or the unlawful use of a
2337 weapon, as defined in section 29-38, and whether any injuries occurred;
2338 and (D) whether the conduct involved the use of alcohol.

2339 (2) Expulsion proceedings pursuant to this section, except as
2340 provided in subsection (i) of this section, shall be required for any pupil
2341 in grades kindergarten to twelve, inclusive, whenever there is reason to
2342 believe that any pupil (A) on school grounds or at a school-sponsored
2343 activity, was in possession of a firearm, as defined in 18 USC 921, as
2344 amended from time to time, or deadly weapon, dangerous instrument
2345 or martial arts weapon, as defined in section 53a-3, (B) off school
2346 grounds, did possess such a firearm in violation of section 29-35 or did
2347 possess and use such a firearm, instrument or weapon in the
2348 commission of a crime under chapter 952, or (C) on or off school
2349 grounds, offered for sale or distribution a controlled substance, as
2350 defined in [subdivision (9) of] section 21a-240, as amended by this act,
2351 whose manufacture, distribution, sale, prescription, dispensing,
2352 transporting or possessing with intent to sell or dispense, offering, or
2353 administering is subject to criminal penalties under sections 21a-277, as
2354 amended by this act, and 21a-278, as amended by this act. Such a pupil
2355 shall be expelled for one calendar year if the local or regional board of
2356 education or impartial hearing board finds that the pupil did so possess
2357 or so possess and use, as appropriate, such a firearm, instrument or
2358 weapon or did so offer for sale or distribution such a controlled
2359 substance, provided the board of education or the hearing board may
2360 modify the period of expulsion for a pupil on a case-by-case basis, and
2361 as provided for in subdivision (2) of subsection (c) of this section.

2362 (3) Unless an emergency exists, no pupil shall be expelled without a
2363 formal hearing held pursuant to sections 4-176e to 4-180a, inclusive, and

2364 section 4-181a, provided whenever such pupil is a minor, the notice
2365 required by section 4-177 and section 4-180 shall also be given to the
2366 parents or guardian of the pupil at least five business days before such
2367 hearing. If an emergency exists, such hearing shall be held as soon after
2368 the expulsion as possible. The notice shall include information
2369 concerning the parent's or guardian's and the pupil's legal rights and
2370 concerning legal services provided free of charge or at a reduced rate
2371 that are available locally and how to access such services. An attorney
2372 or other advocate may represent any pupil subject to expulsion
2373 proceedings. The parent or guardian of the pupil shall have the right to
2374 have the expulsion hearing postponed for up to one week to allow time
2375 to obtain representation, except that if an emergency exists, such hearing
2376 shall be held as soon after the expulsion as possible.

2377 (b) For purposes of conducting expulsion hearings as required by
2378 subsection (a) of this section, any local or regional board of education or
2379 any two or more of such boards in cooperation may establish an
2380 impartial hearing board of one or more persons. No member of any such
2381 board or boards shall be a member of the hearing board. The hearing
2382 board shall have the authority to conduct the expulsion hearing and
2383 render a final decision in accordance with the provisions of sections 4-
2384 176e to 4-180a, inclusive, and section 4-181a.

2385 (c) (1) In determining the length of an expulsion and the nature of the
2386 alternative educational opportunity to be offered under subsection (d)
2387 of this section, the local or regional board of education, or the impartial
2388 hearing board established pursuant to subsection (b) of this section, may
2389 receive and consider evidence of past disciplinary problems that have
2390 led to removal from a classroom, suspension or expulsion of such pupil.

2391 (2) For any pupil expelled for the first time pursuant to this section
2392 and who has never been suspended pursuant to section 10-233c, except
2393 for a pupil who has been expelled based on possession of a firearm or
2394 deadly weapon as described in subsection (a) of this section, the local or
2395 regional board of education may shorten the length of or waive the
2396 expulsion period if the pupil successfully completes a board-specified

2397 program and meets any other conditions required by the board. Such
2398 board-specified program shall not require the pupil or the parent or
2399 guardian of the pupil to pay for participation in the program.

2400 (d) No local or regional board of education is required to offer an
2401 alternative educational opportunity, except in accordance with this
2402 section. Any pupil under sixteen years of age who is expelled shall be
2403 offered an alternative educational opportunity, which shall be (1)
2404 alternative education, as defined by section 10-74j, with an
2405 individualized learning plan, if such board provides such alternative
2406 education, or (2) in accordance with the standards adopted by the State
2407 Board of Education, pursuant to section 10-233o, during the period of
2408 expulsion, provided any parent or guardian of such pupil who does not
2409 choose to have [his or her] such parent's or guardian's child enrolled in
2410 an alternative educational opportunity shall not be subject to the
2411 provisions of section 10-184. Any pupil expelled for the first time who
2412 is between the ages of sixteen and eighteen and who wishes to continue
2413 [his or her] such pupil's education shall be offered such an alternative
2414 educational opportunity if [he or she] such pupil complies with
2415 conditions established by [his or her] such pupil's local or regional board
2416 of education. Such alternative educational opportunity may include, but
2417 shall not be limited to, the placement of a pupil who is at least seventeen
2418 years of age in an adult education program pursuant to section 10-69.
2419 Any pupil participating in any such adult education program during a
2420 period of expulsion shall not be required to withdraw from school under
2421 section 10-184. A local or regional board of education shall count the
2422 expulsion of a pupil when [he] the pupil was under sixteen years of age
2423 for purposes of determining whether an alternative educational
2424 opportunity is required for such pupil when [he] such pupil is between
2425 the ages of sixteen and eighteen. A local or regional board of education
2426 may offer an alternative educational opportunity to a pupil for whom
2427 such alternative educational opportunity is not required pursuant to
2428 this section.

2429 (e) If a pupil is expelled pursuant to this section for possession of a
2430 firearm, as defined in 18 USC 921, as amended from time to time, or

2431 deadly weapon, dangerous instrument or martial arts weapon, as
2432 defined in section 53a-3, the board of education shall report the violation
2433 to the local police department or in the case of a student enrolled in a
2434 technical education and career school to the state police. If a pupil is
2435 expelled pursuant to this section for the sale or distribution of a
2436 controlled substance, as defined in [subdivision (9) of] section 21a-240,
2437 as amended by this act, whose manufacture, distribution, sale,
2438 prescription, dispensing, transporting or possessing with the intent to
2439 sell or dispense, offering, or administration is subject to criminal
2440 penalties under sections 21a-277, as amended by this act, and 21a-278,
2441 as amended by this act, the board of education shall refer the pupil to
2442 an appropriate state or local agency for rehabilitation, intervention or
2443 job training, or any combination thereof, and inform the agency of its
2444 action.

2445 Sec. 28. Section 10a-18 of the general statutes is repealed and the
2446 following is substituted in lieu thereof (*Effective October 1, 2023*):

2447 On and after September 1, 1974, all state institutions of higher
2448 education shall offer a program of information concerning drugs, as
2449 defined in [subdivision (17) of] section 21a-240, as amended by this act,
2450 and alcohol and instruction in the use and the relationships of such
2451 drugs and alcohol to health and personality development, and in
2452 procedures for discouraging their abuse, which programs shall be
2453 coordinated with those developed under section 10-19, as amended by
2454 this act.

2455 Sec. 29. Subdivision (4) of subsection (a) of section 10a-55c of the
2456 general statutes is repealed and the following is substituted in lieu
2457 thereof (*Effective October 1, 2023*):

2458 (4) A statement of policy regarding the possession, use and sale of
2459 alcoholic beverages and controlled substances, as defined in
2460 [subdivision (9) of] section 21a-240, as amended by this act;

2461 Sec. 30. Subsection (b) of section 20-34 of the general statutes is
2462 repealed and the following is substituted in lieu thereof (*Effective October*

2463 1, 2023):

2464 (b) For purposes of subsection (a) of this section, "natural substances"
2465 means substances that are not narcotic substances, as defined in
2466 [subdivision (30) of] section 21a-240, as amended by this act, do not
2467 require the written or oral prescription of a licensed practitioner to be
2468 dispensed and are only administered orally.

2469 Sec. 31. Subsection (a) of section 21a-248 of the general statutes is
2470 repealed and the following is substituted in lieu thereof (*Effective October*
2471 *1, 2023*):

2472 (a) A licensed manufacturer or wholesaler may sell and dispense
2473 controlled drugs to any of the following-named persons, but in the case
2474 of schedule II drugs only on an official written order or electronically
2475 through the Drug Enforcement Agency's Controlled Substance
2476 Ordering System: (1) To a manufacturer, wholesaler or pharmacist; (2)
2477 to a physician, dentist or veterinarian; (3) to a person in charge of a
2478 hospital, incorporated college or scientific institution, but only for use
2479 by or in that hospital, incorporated college or scientific institution for
2480 medical or scientific purposes; (4) to a person in charge of a laboratory,
2481 but only for use in that laboratory for scientific and medical purposes;
2482 and (5) to any registrant as defined in [subdivision (47) of] section 21a-
2483 240, as amended by this act.

2484 Sec. 32. Section 21a-263 of the general statutes is repealed and the
2485 following is substituted in lieu thereof (*Effective October 1, 2023*):

2486 The Commissioner of Consumer Protection may receive, take into
2487 custody or destroy any drug paraphernalia as defined in subdivision
2488 [(20)] (19) of section 21a-240, as amended by this act. Said commissioner
2489 shall keep a full and complete record of all drug paraphernalia received
2490 and disposed of, showing the exact kinds, quantities and forms of such
2491 drug paraphernalia, the persons from whom received, by whose
2492 authority received and destroyed, and the dates of the receipt or
2493 destruction. Drug paraphernalia held by law enforcement agencies or
2494 court officials as evidence in criminal proceedings, or drug

2495 paraphernalia seized or held as contraband shall be destroyed upon the
2496 order of the court by the seizing authority or delivered to the
2497 Commissioner of Consumer Protection as soon as possible upon
2498 termination of the proceedings or resolution of the case.

2499 Sec. 33. Subsection (a) of section 21a-267 of the general statutes is
2500 repealed and the following is substituted in lieu thereof (*Effective October*
2501 *1, 2023*):

2502 (a) No person shall use or possess with intent to use drug
2503 paraphernalia, as defined in subdivision [(20)] (19) of section 21a-240, as
2504 amended by this act, to plant, propagate, cultivate, grow, harvest,
2505 manufacture, compound, convert, produce, process, prepare, test,
2506 analyze, pack, repack, store, contain or conceal, or to ingest, inhale or
2507 otherwise introduce into the human body, any controlled substance, as
2508 defined in [subdivision (9) of] section 21a-240, as amended by this act,
2509 other than cannabis. Any person who violates any provision of this
2510 subsection shall be guilty of a class C misdemeanor.

2511 Sec. 34. Section 21a-270 of the general statutes is repealed and the
2512 following is substituted in lieu thereof (*Effective October 1, 2023*):

2513 In determining whether any object or material listed in subdivision
2514 [(20)] (19) of section 21a-240, as amended by this act, shall be deemed
2515 "drug paraphernalia", a court or other authority shall, in addition to all
2516 other logically relevant factors, consider the following:

2517 (1) Statements by an owner or by anyone in control of the object
2518 concerning its use;

2519 (2) The proximity of the object to any controlled substances;

2520 (3) The existence of any residue of controlled substances on the object;

2521 (4) Evidence of the intent of an owner, or of anyone in control of the
2522 object, to deliver it to persons whom [he] the owner knows, or should
2523 reasonably know, intend to use the object to facilitate a violation of this
2524 section, subdivision [(20)] (19) of section 21a-240, as amended by this

2525 act, and sections 21a-263, as amended by this act, 21a-267, as amended
2526 by this act, and 21a-271, as amended by this act;

2527 (5) Instructions, oral or written, provided with the object concerning
2528 its use with a controlled substance;

2529 (6) Descriptive materials accompanying the object which explain or
2530 depict its use with a controlled substance;

2531 (7) National and local advertising concerning its use;

2532 (8) The manner in which the object is displayed for sale;

2533 (9) Whether the owner, or anyone in control of the object, is a
2534 legitimate supplier of like or related items to the community, such as a
2535 licensed distributor or dealer of tobacco products;

2536 (10) Evidence of the ratio of sales of the object to the total sales of the
2537 business enterprise;

2538 (11) The existence and scope of legitimate uses for the object in the
2539 community;

2540 (12) Expert testimony concerning its use.

2541 Sec. 35. Section 21a-271 of the general statutes is repealed and the
2542 following is substituted in lieu thereof (*Effective October 1, 2023*):

2543 If any section, part, clause or phrase in subdivision [(20)] (19) of
2544 section 21a-240, as amended by this act, section 21a-263, as amended by
2545 this act, 21a-267, as amended by this act, 21a-270, as amended by this
2546 act, or this section, is for any reason held to be invalid or
2547 unconstitutional, sections, parts, clauses and phrases in said sections not
2548 held to be invalid or unconstitutional shall not be affected and shall
2549 remain in full force and effect.

2550 Sec. 36. Subsection (c) of section 21a-277 of the general statutes is
2551 repealed and the following is substituted in lieu thereof (*Effective October*
2552 *1, 2023*):

2553 (c) No person may knowingly possess drug paraphernalia in a drug
2554 factory situation as defined by subdivision [(20)] (19) of section 21a-240,
2555 as amended by this act, for the unlawful mixing, compounding or
2556 otherwise preparing any controlled substance for purposes of violation
2557 of this chapter.

2558 Sec. 37. Subdivision (1) of subsection (b) of section 21a-278 of the
2559 general statutes is repealed and the following is substituted in lieu
2560 thereof (*Effective October 1, 2023*):

2561 (b) (1) No person may manufacture, distribute, sell, prescribe,
2562 dispense, compound, transport with the intent to sell or dispense,
2563 possess with the intent to sell or dispense, offer, give or administer to
2564 another person, except as authorized in this chapter or chapter 420f, (A)
2565 a narcotic substance, (B) a hallucinogenic substance, (C) an
2566 amphetamine-type substance, or (D) one kilogram or more of [a
2567 cannabis-type substance] marijuana. The provisions of this subdivision
2568 shall not apply to a person who is, at the time of the commission of the
2569 offense, a drug-dependent person.

2570 Sec. 38. Subsection (k) of section 21a-420d of the general statutes is
2571 repealed and the following is substituted in lieu thereof (*Effective October*
2572 *1, 2023*):

2573 (k) The council shall develop criteria for evaluating the ownership
2574 and control of any equity joint venture created under section 21a-420m,
2575 as amended by this act, 21a-420u, as amended by this act, or section 21a-
2576 420j, as amended by this act, and shall review and approve or deny in
2577 writing such equity joint venture prior to such equity joint venture being
2578 licensed under section 21a-420m, as amended by this act, 21a-420u, as
2579 amended by this act, or section 21a-420j, as amended by this act. After
2580 developing criteria for social equity plans as described in subdivision
2581 (5) of subsection (h) of this section, the council shall review and approve
2582 or deny in writing any such plan submitted by a cannabis establishment
2583 as part of its final license application. The council shall not approve any
2584 equity joint venture applicant which shares with an equity joint venture

2585 any individual owner who meets the criteria established in
2586 subparagraphs (A) and (B) of subdivision [(48)] (47) of section 21a-420,
2587 as amended by this act.

2588 Sec. 39. Subsection (a) of section 54-142v of the general statutes is
2589 repealed and the following is substituted in lieu thereof (*Effective October*
2590 *1, 2023*):

2591 (a) (1) Any person who has been convicted in any court in this state
2592 (A) (i) on October 1, 2015, or thereafter, and prior to July 1, 2021, or (ii)
2593 prior to January 1, 2000, of a violation of section 21a-279 for possession
2594 of [a cannabis-type substance] cannabis and the amount possessed was
2595 less than or equal to four ounces of such substance, (B) prior to July 1,
2596 2021, of a violation of subsection (a) of section 21a-267, as amended by
2597 this act, for use or possession with intent to use of drug paraphernalia
2598 to store, contain or conceal, or to ingest, inhale or otherwise introduce
2599 into the human body cannabis, or (C) prior to July 1, 2021, of a violation
2600 of subsection (b) of section 21a-277, as amended by this act, for
2601 manufacturing, distributing, selling, prescribing, compounding,
2602 transporting with the intent to sell or dispense, possessing with the
2603 intent to sell or dispense, offering, giving or administering to another
2604 person [a cannabis-type substance] cannabis and the amount involved
2605 was less than or equal to four ounces or six plants grown inside such
2606 person's own primary residence for personal use may file a petition with
2607 the Superior Court at the location in which such conviction was effected,
2608 or with the Superior Court at the location having custody of the records
2609 of such conviction or if such conviction was in the Court of Common
2610 Pleas, Circuit Court, municipal court or by a trial justice, in the Superior
2611 Court where venue would currently exist for criminal prosecution, for
2612 an order of erasure.

2613 (2) As part of such petition, such person shall include a copy of the
2614 arrest record or an affidavit supporting such person's petition that, in
2615 the case of a violation of section 21a-279, such person possessed four
2616 ounces or less of [a cannabis-type substance] cannabis for which such
2617 person was convicted, in the case of a violation of subsection (a) of

2618 section 21a-267, as amended by this act, such person used or possessed
2619 with intent to use such drug paraphernalia only to store, contain or
2620 conceal, or to ingest, inhale or otherwise introduce into the human body
2621 cannabis or in the case of a violation of subsection (b) of section 21a-277,
2622 as amended by this act, such person manufactured, distributed, sold,
2623 prescribed, compounded, transported with the intent to sell or dispense,
2624 possessed with the intent to sell or dispense, offered, gave or
2625 administered to another person less than or equal to four ounces of [a
2626 cannabis-type substance] marijuana or six cannabis plants grown inside
2627 such person's own primary residence for personal use.

2628 (3) If such petition is in order, the Superior Court shall direct all police
2629 and court records and records of the state's or prosecuting attorney
2630 pertaining to such offense to be erased pursuant to the provisions of
2631 section 54-142a.

2632 (4) No fee may be charged in any court with respect to any petition
2633 under this subsection.

2634 Sec. 40. Section 38a-492 of the general statutes is repealed and the
2635 following is substituted in lieu thereof (*Effective October 1, 2023*):

2636 No individual health insurance policy providing coverage of the type
2637 specified in subdivisions (1), (2), (4), (6), (10) and (11) of section 38a-469
2638 shall be delivered, issued for delivery or renewed in this state, or
2639 amended to substantially alter or change benefits or coverage, on or
2640 after July 1, 1975, unless persons covered under such policy will be
2641 eligible for benefits for expenses of emergency medical care arising from
2642 accidental ingestion or consumption of a controlled drug, as defined by
2643 [subdivision (8) of] section 21a-240, as amended by this act, which are at
2644 least equal to the following minimum requirements: (1) In the case of
2645 benefits based upon confinement as an inpatient in a hospital, whether
2646 or not operated by the state, the period of confinement for which
2647 benefits shall be payable shall be at least thirty days in any calendar
2648 year. (2) For covered expenses incurred by the insured while other than
2649 an inpatient in a hospital, benefits shall be available for such expenses

2650 during any calendar year up to a maximum of five hundred dollars. For
2651 purposes of this section, the term "covered expenses" means the
2652 reasonable charges for treatment deemed necessary under generally
2653 accepted medical standards.

2654 Sec. 41. Section 38a-518 of the general statutes is repealed and the
2655 following is substituted in lieu thereof (*Effective October 1, 2023*):

2656 No group health insurance policy providing coverage of the type
2657 specified in subdivisions (1), (2), (4), (6) and (11) of section 38a-469 shall
2658 be delivered, issued for delivery or renewed in this state, or amended to
2659 substantially alter or change benefits or coverage, on or after July 1, 1975,
2660 unless persons covered under such policy will be eligible for benefits for
2661 expenses of emergency medical care arising from accidental ingestion
2662 or consumption of a controlled drug, as defined by [subdivision (8) of]
2663 section 21a-240, as amended by this act, which are at least equal to the
2664 following minimum requirements: (1) In the case of benefits based upon
2665 confinement as an inpatient in a hospital, whether or not operated by
2666 the state, the period of confinement for which benefits shall be payable
2667 shall be at least thirty days in any calendar year. (2) For covered
2668 expenses incurred by the insured while other than an inpatient in a
2669 hospital, benefits shall be available for such expenses during any
2670 calendar year up to a maximum of five hundred dollars. For purposes
2671 of this section, the term "covered expenses" means the reasonable
2672 charges for treatment deemed necessary under generally accepted
2673 medical standards.

2674 Sec. 42. Subdivision (6) of subsection (a) of section 53a-18 of the
2675 general statutes is repealed and the following is substituted in lieu
2676 thereof (*Effective October 1, 2023*):

2677 (6) A teacher or other person entrusted with the care and supervision
2678 of a minor for school purposes may use reasonable physical force upon
2679 such minor when and to the extent such teacher or other person
2680 reasonably believes such force to be necessary to (A) protect [himself or
2681 herself] such teacher, other person or others from immediate physical

2682 injury, (B) obtain possession of a dangerous instrument or controlled
2683 substance, as defined in [subdivision (9) of] section 21a-240, as amended
2684 by this act, upon or within the control of such minor, (C) protect
2685 property from physical damage, or (D) restrain such minor or remove
2686 such minor to another area, to maintain order.

2687 Sec. 43. Subsections (c) to (g), inclusive, of section 54-36a of the
2688 general statutes are repealed and the following is substituted in lieu
2689 thereof (*Effective October 1, 2023*):

2690 (c) Unless such seized property is stolen property and is ordered
2691 returned pursuant to subsection (b) of this section or unless such seized
2692 property is adjudicated a nuisance in accordance with section 54-33g, or
2693 unless the court finds that such property shall be forfeited or is
2694 contraband, or finds that such property is a controlled drug [, a] or
2695 controlled substance as defined in section 21a-240, as amended by this
2696 act, or drug paraphernalia as defined in subdivision [(8), (9) or (20)] (19)
2697 of section 21a-240, as amended by this act, it shall, at the final disposition
2698 of the criminal action or as soon thereafter as is practical, or, if there is
2699 no criminal action, at any time upon motion of the prosecuting official
2700 of such court, order the return of such property to its owner within six
2701 months upon proper claim therefor.

2702 (d) When the court orders the return of the seized property to the
2703 owner, the order shall provide that if the seized property is not claimed
2704 by the owner within six months, the property shall be destroyed or be
2705 given to a charitable or educational institution or to a governmental
2706 agency or institution, except that (1) if such property is money it shall
2707 be remitted to the state and shall be deposited in the General Fund or
2708 (2) if such property is a valuable prize it shall be disposed of by public
2709 auction or private sale in which case the proceeds shall become the
2710 property of the state and shall be deposited in the General Fund;
2711 provided any person who has a bona fide mortgage, assignment of lease
2712 or rent, lien or security interest in such property shall have the same
2713 right to the proceeds as [he] such person had in the property prior to the
2714 sale.

2715 (e) If such seized property is adjudicated a nuisance or if the court
2716 finds that such property shall be forfeited or is contraband other than a
2717 controlled drug [, a] or controlled substance as defined in section 21a-
2718 240, as amended by this act, or drug paraphernalia as defined in
2719 subdivision [(8), (9) or (20)] (19) of section 21a-240, as amended by this
2720 act, the court shall order that such property be destroyed or be given to
2721 a charitable or educational institution or to a governmental agency or
2722 institution, except that (1) if such property is money, the court shall
2723 order that it be remitted to the state and be deposited in the General
2724 Fund, or (2) if such property is a valuable prize, the court shall order
2725 that it be disposed of by public auction or private sale in which case the
2726 proceeds shall become the property of the state and shall be deposited
2727 in the General Fund; provided any person who has a bona fide
2728 mortgage, assignment of lease or rent, lien or security interest in such
2729 property shall have the same right to the proceeds as [he] such person
2730 had in the property prior to sale.

2731 (f) If the court finds that such seized property is fireworks as defined
2732 in section 29-356, the court shall order the forfeiture and destruction of
2733 such property. Any secondary evidence of the identity, description or
2734 value of such property shall be admissible in evidence against the
2735 defendant in the trial of the case. A photograph of the fireworks and a
2736 sworn affidavit describing such fireworks shall be sufficient evidence of
2737 the identity of the fireworks. The fact that the evidence is secondary in
2738 nature may be shown to affect the weight of such evidence, but not to
2739 affect its admissibility.

2740 (g) If the court finds that such seized property is a controlled drug [,
2741 a] or controlled substance as defined in section 21a-240, as amended by
2742 this act, or drug paraphernalia as defined in subdivision [(8), (9) or (20)]
2743 (19) of section 21a-240, as amended by this act, the court shall order the
2744 forfeiture and destruction of such property or order it delivered to the
2745 Commissioner of Consumer Protection pursuant to section 54-36g, as
2746 amended by this act.

2747 Sec. 44. Subsection (a) of section 54-36g of the general statutes is

2748 repealed and the following is substituted in lieu thereof (*Effective October*
2749 *1, 2023*):

2750 (a) At any time after the seizure of a controlled drug or a controlled
2751 substance [,] as defined in [subdivision (8) or (9) of] section 21a-240, as
2752 amended by this act, or drug paraphernalia [,] as defined in subdivision
2753 [(20)] (19) of section 21a-240, as amended by this act, in connection with
2754 a criminal arrest or pursuant to a search warrant without an arrest, the
2755 prosecuting official of the court for the geographical area in which the
2756 criminal offense is alleged to have been committed may petition the
2757 court for destruction of such controlled drug, controlled substance or
2758 drug paraphernalia. After notice, by certified or registered mail to the
2759 defendant and [his] the defendant's attorney, and hearing on the
2760 petition, the court may order the forfeiture and destruction of such
2761 controlled drug, controlled substance or drug paraphernalia, under
2762 procedures and to the extent determined by the court, or order it
2763 delivered to the Commissioner of Consumer Protection as soon as
2764 possible. Such order shall be in writing and shall provide for the analysis
2765 of representative samples of such controlled drug, controlled substance
2766 or drug paraphernalia. The results of such analysis shall be recorded on
2767 a certificate signed by the person making the analysis, witnessed and
2768 acknowledged pursuant to section 1-29. Such certificate shall be prima
2769 facie evidence of the composition and quality of such controlled drug,
2770 controlled substance or drug paraphernalia.

2771 Sec. 45. Subdivision (1) of subsection (a) of section 54-36h of the
2772 general statutes is repealed and the following is substituted in lieu
2773 thereof (*Effective October 1, 2023*):

2774 (1) All moneys used, or intended for use, in the procurement,
2775 manufacture, compounding, processing, delivery or distribution of any
2776 controlled substance, as defined in [subdivision (9) of] section 21a-240,
2777 as amended by this act;

2778 Sec. 46. Section 21a-421b of the general statutes is repealed and the
2779 following is substituted in lieu thereof (*Effective October 1, 2023*):

2780 (a) For the purposes of this section:

2781 (1) "Applicant" means an entity applying for an initial or renewal
2782 cannabis establishment or cannabis testing laboratory license;

2783 (2) "Entity" means an association, company, corporation,
2784 organization, partnership, sole proprietorship or trust;

2785 (3) "Executive managerial control" means, in the case of an individual,
2786 the authority or power to direct or influence the direction or operation
2787 of an applicant through agreement, board membership, contract or
2788 voting power;

2789 (4) "Manager" means an individual who is not a key employee and
2790 has (A) an ownership interest in an applicant, and (B) executive
2791 managerial control of an applicant;

2792 (5) "Owner" means an individual who has more than a five per cent
2793 ownership interest in an applicant; and

2794 (6) "Ownership interest" means the possession of equity in the assets,
2795 capital, profits or stock of an applicant.

2796 [(a) On and after July 1, 2021, the] (b) The commissioner shall require
2797 [all individuals listed on an application for a cannabis establishment
2798 license, laboratory or research program license, or key employee license
2799 to submit to] that a fingerprint-based state and national criminal history
2800 records [checks before such license is issued. The criminal history
2801 records checks required pursuant to this subsection shall] check be
2802 conducted in accordance with section 29-17a [. Upon renewal, the] for
2803 each key employee, manager and owner of an applicant. The
2804 commissioner may require [all individuals listed on an application for a
2805 cannabis establishment license, laboratory or research program license,
2806 or key employee license to be fingerprinted and] key employees,
2807 managers and owners to submit to a state and national criminal history
2808 records check conducted in accordance with section 29-17a before [such
2809 renewal] issuing a license [is issued] renewal.

2810 (c) A key employee, manager or owner shall be denied a license in
 2811 the event that the key employee's background check reveals a
 2812 disqualifying conviction.

2813 ~~[(b)]~~ (d) The department shall charge the applicant a fee equal to the
 2814 amount charged to the department to conduct a state and national
 2815 criminal history records check of the applicant.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	21a-240
Sec. 2	<i>October 1, 2023</i>	21a-408
Sec. 3	<i>from passage</i>	21a-408b(a)
Sec. 4	<i>October 1, 2023</i>	21a-408j(a)
Sec. 5	<i>October 1, 2023</i>	21a-408k
Sec. 6	<i>October 1, 2023</i>	21a-408r(a) to (d)
Sec. 7	<i>October 1, 2023</i>	21a-408s
Sec. 8	<i>October 1, 2023</i>	21a-408u
Sec. 9	<i>October 1, 2023</i>	21a-420
Sec. 10	<i>from passage</i>	21a-420e
Sec. 11	<i>from passage</i>	21a-420g(a) to (i)
Sec. 12	<i>from passage</i>	21a-420j(e)
Sec. 13	<i>from passage</i>	21a-420m(f)
Sec. 14	<i>October 1, 2023</i>	21a-420m(b)
Sec. 15	<i>October 1, 2023</i>	21a-420n(d)
Sec. 16	<i>October 1, 2023</i>	21a-420p(e)
Sec. 17	<i>October 1, 2023</i>	21a-420r(b)
Sec. 18	<i>from passage</i>	21a-420u(f)
Sec. 19	<i>October 1, 2023</i>	21a-420u(b) to (d)
Sec. 20	<i>October 1, 2023</i>	21a-421bb(a) to (d)
Sec. 21	<i>October 1, 2023</i>	47a-9a(a)
Sec. 22	<i>October 1, 2023</i>	22-61l
Sec. 23	<i>October 1, 2023</i>	22-61m
Sec. 24	<i>October 1, 2023</i>	10-19(a)
Sec. 25	<i>October 1, 2023</i>	10-220a(a)
Sec. 26	<i>October 1, 2023</i>	10-221(e)
Sec. 27	<i>October 1, 2023</i>	10-233d(a) to (e)
Sec. 28	<i>October 1, 2023</i>	10a-18
Sec. 29	<i>October 1, 2023</i>	10a-55c(a)(4)

Sec. 30	<i>October 1, 2023</i>	20-34(b)
Sec. 31	<i>October 1, 2023</i>	21a-248(a)
Sec. 32	<i>October 1, 2023</i>	21a-263
Sec. 33	<i>October 1, 2023</i>	21a-267(a)
Sec. 34	<i>October 1, 2023</i>	21a-270
Sec. 35	<i>October 1, 2023</i>	21a-271
Sec. 36	<i>October 1, 2023</i>	21a-277(c)
Sec. 37	<i>October 1, 2023</i>	21a-278(b)(1)
Sec. 38	<i>October 1, 2023</i>	21a-420d(k)
Sec. 39	<i>October 1, 2023</i>	54-142v(a)
Sec. 40	<i>October 1, 2023</i>	38a-492
Sec. 41	<i>October 1, 2023</i>	38a-518
Sec. 42	<i>October 1, 2023</i>	53a-18(a)(6)
Sec. 43	<i>October 1, 2023</i>	54-36a(c) to (g)
Sec. 44	<i>October 1, 2023</i>	54-36g(a)
Sec. 45	<i>October 1, 2023</i>	54-36h(a)(1)
Sec. 46	<i>October 1, 2023</i>	21a-421b

Statement of Purpose:

To: (1) Redefine various terms concerning cannabis and define "high-THC hemp product"; (2) modify various statutes to distinguish between (A) cannabis testing laboratories and other laboratories, and (B) cannabis testing laboratory employees and other laboratory employees; (3) provide that a person who has been convicted of violating a law pertaining to the illegal manufacture, sale or distribution of a controlled substance may serve as a caregiver for a qualifying patient; (4) provide that a caregiver may be responsible for the care of more than one qualifying patient if the caregiver has a parental, grandparental, guardianship, conservatorship, spousal or sibling relationship with each qualifying patient; (5) establish statutory license and license renewal fees for cannabis testing laboratories; (6) require the Commissioner of Consumer Protection to adopt regulations establishing procedures by which cannabis testing laboratories shall accept cannabis from qualifying patients and consumers for testing; (7) provide that persons with access to cannabis establishment applications and related materials may not disclose such applications and materials, subject to certain exceptions; (8) eliminate the requirement that certain appeals taken during the cannabis establishment lottery process be taken in accordance with the Uniform Administrative Procedure Act; (9) provide that a backer may be removed from a cannabis establishment application selected through the general lottery at any time upon notice

to the department, and that any change made to a social equity applicant during the lottery process shall be reviewed and approved by the Social Equity Council before such change is reviewed by the Department of Consumer Protection; (10) specify that equity joint ventures that are retailers or hybrid retailers that share a common cultivator, producer or dispensary facility, or a common cultivator, producer or dispensary facility backer, shall not be located within twenty miles of each other; (11) provide that an equity joint venture that receives written approval from the Social Equity Council shall not be subject to the lottery process for other licensees of the same license type; (12) provide that persons who provide professional services related to the purchase, sale or use of cannabis may advertise cannabis or services related to cannabis in this state; (13) prohibit cannabis advertising by means of any billboard between the hours of six o'clock a.m. and eleven o'clock p.m.; (14) provide that certain outdoor cannabis establishment signage may be visible to the public within five hundred feet of an elementary or secondary school ground or a recreation center or facility, child care center, playground, public park or library if such signage meets certain requirements; (15) modify hemp testing requirements and background check requirements; and (16) make technical, conforming and minor changes to statutes concerning cannabis.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]