

S.B. 101
Specialized Product Amendments

Senate Amendments

Amendment 2

February 06, 2026 02:47 PM

Senator **Evan J. Vickers** proposes the following amendments:

1. *Line 1319 through 1326:*

1319 **CHAPTER 31. Specialized Product Licensing and Tax Act**
1320 **59-31-101 (Effective 01/01/27)**Definitions.
1321 As used in this chapter:
1322 (1) (a) "Cannabinoid product" means { ~~the same as that term is defined in Section 4-41-102~~ } a product that contains or is represented to contain one or more naturally occurring cannabinoids.
 (b) "Cannabinoid product" does not include:
 (i) medical cannabis as that term is defined in Section 26B-4-201; or
 (ii) a medical cannabis product as that term is defined in Section 26B-4-201.
1323 (2) "Kratom product" { ~~means the same as that term is defined in Section 4-45-102~~ } means a product containing any part of a leaf of the plant Mitragyna speciosa.
1324 ~~[(2)](3)~~ "Licensee" means a retailer that holds a valid license under Part 2, Licensing, to sell
1325 a ~~[cannabinoi]specialized~~ product.
1326 ~~[(3)](4)~~ "Retail price" means the amount charged by a retailer for a ~~[cannabinoi]specialized~~

2. *Line 1379:*

1379 **59-31-301 (Effective 01/01/27)**Taxation of specialized product.
1380 (1) A tax is imposed on a ~~[cannabinoi]specialized~~ product at a rate of ~~[-10-]~~5.3%
1381 multiplied by the retail price.
1382 (2) (a) { ~~A~~ } ~~[licensee]~~Except as provided in Subsection (2)(c), a retailer shall collect the tax
 imposed under Subsection (1) from a [
1383 ~~purchase]consumer~~ at the time the ~~[cannabinoi]specialized~~ product is sold.
1384 (b) A consumer that purchases or receives an untaxed ~~[cannabinoi]specialized~~ product
1385 shall pay the tax at the time the ~~[cannabinoi]specialized~~ product is first received in
1386 this state.
 (c) A retailer may elect not to collect the tax described in Subsection (2)(a) only if the retailer:
 (i) is located outside of the state; and
 (ii) does not meet the requirements of Subsection 59-12-107(2)(c).