



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

February 24, 2022

Mr. Speaker,

The Health and Human Services Committee reports a favorable recommendation on **H.B. 385**, HEMP AND CBD AMENDMENTS, by Representative J. Dailey-Provost, with the following amendments:

1. *Page 3, Lines 74 through 76:*

74 [~~(6)~~] (9) "Industrial hemp producer license" means a license that the department
issues
75 to a person for the purpose of { ~~cultivating or~~ } processing industrial hemp or an
industrial hemp
76 product.

2. *Page 4, Lines 117 through 120:*

117 [~~(15)~~] { ~~(19)~~ "Research pilot program" means a program conducted by the
department in
118 **collaboration with at least one licensee to study methods of cultivating, processing,**
or
119 **marketing industrial hemp.** }
120 [~~(16)~~] { ~~(20)~~ } (19) "Retailer permittee" means a person possessing an
industrial hemp retailer

3. *Page 5, Lines 125 through 133:*

125 { ~~(21)~~ } (20) "Synthetic cannabinoid" means any cannabinoid that:
126 (a) was chemically synthesized from starting materials other than a naturally
occurring
127 cannabinoid; and

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128 (b) is not a derivative cannabinoid.
129 ~~{(22)}~~ (21) "Total cannabidiol" or "total CBD" means the combined
amounts of cannabidiol
130 and cannabidiolic acid, calculated as "total CBD = CBD + (CBDA x 0.877)."
131 ~~{(23)}~~ (22) "Total tetrahydrocannabinol" or "total THC" means the sum
of the determined
132 amounts of delta-9-THC, tetrahydrocannabinolic acid, calculated as "total THC = delta-9
THC
133 + (THCA x 0.877)."

4. Page 8, Lines 228 through 229:

228 (b) transport ~~{outside}~~ into or out of the state extracted material or
final product that ~~{is noncompliant}~~
229 material} contains 0.3% or more of total THC ;

5. Page 10, Lines 281 through 293:

281 (1) (a) The department shall make rules in accordance with Title 63G, Chapter
3, Utah
282 Administrative Rulemaking Act[;]:
283 ~~{(a)}~~ (i) to determine standards for a registered cannabinoid product,
including standards
284 for:
285 [(a)] ~~{(i)}~~ (A) testing to ensure the product is safe for human
consumption; and
286 [(b)] ~~{(ii)}~~ (B) accurate labeling; [and]
287 ~~{(b)}~~ (ii) governing an entity that manufactures cannabinoid products,
including standards
288 for health and safety;
289 ~~{(c)}~~ (iii) regarding what constitutes:
290 ~~{(i)}~~ (A) a conventional food or beverage; and
291 ~~{(ii)}~~ (B) a product that is marketed or manufactured to be enticing to
children; and
292 [(c)] ~~{(d)}~~ (iv) regarding any other issue the department considers



necessary for the safe
293 production and sale of cannabinoid products.
(b) Notwithstanding Subsection (1)(a), the department may not prohibit a sugar coating on a cannabinoid product to mask the product's taste, subject to the limitations described in Subsection (1)(a)(iii) or (iv).

6. Page 11, Lines 317 through 319:

317 (b) transport ~~{outside}~~ into or out of the state extracted material or
final product that ~~{is noncompliant~~
318 material} contains 0.3% or more of total THC ; or
319 (c) produce, sell, or use a cannabinoid product that is:

Respectfully,

Merrill F. Nelson
Chair

Voting: 11-0-2

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