

H.B. 385

HEMP AND CBD AMENDMENTS

Representative **Jennifer Dailey-Provost** proposes 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
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[5];
283 ~~{(a)}~~ (i) to determine standards for a registered cannabinoid product, including standards

284 for:

285 [(a)] ~~{(f)}~~ (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 ~~{(f)}~~ (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: