

Amendment to SB 505

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to the prohibition on the sale of hemp products containing certain levels of
4 THC and regulating intoxicating hemp products.
5

6 Amend the bill by replacing all after section 1 with the following:

7
8 2 New Paragraphs; Hemp; Definitions. Amend RSA 439-A:2 by inserting after paragraph V the
9 following new paragraphs:

10 VI. "Intoxicating hemp products" means products synthesized from hemp which contain
11 natural or synthetic tetrahydrocannabinol (THC) greater than 0.3 percent on a dry weight basis and
12 are intended for human psychoactive use.

13 VII. "Regulated hemp products" means products derived from hemp which contain natural
14 tetrahydrocannabinol (THC) greater than 0.3 percent on a dry weight basis, which appear in delta-8
15 THC or delta-9 THC isomer variant and which conform to the requirements of this chapter.

16 3 Sale of Hemp-Derived Products Containing THC. RSA 439-A:4 is repealed and reenacted to
17 read as follows:

18 439-A:4 Sale of Hemp-Derived Products Containing THC.

19 I. Products derived from hemp which contain natural or synthetic tetrahydrocannabinol
20 (THC) greater than 0.3 percent on a dry weight basis, which appear in any formulation other than
21 delta-8 THC or delta-9 THC are prohibited.

22 II. Nothing in this chapter shall be construed to authorize the sale of prohibited hemp
23 products.

24 III. The sale and possession of intoxicating hemp products shall be restricted to people 21
25 years of age and older.

26 4 New Sections; Regulated Hemp Products. Amend RSA 439-A by inserting after section 4 the
27 following new sections:

28 439-A:5 Testing of Certain Hemp Products.

29 Products derived from hemp which contain natural tetrahydrocannabinol (THC) greater than 0.3
30 percent on a dry weight basis, which appear in delta-8 THC or delta-9 THC isomer variant shall be
31 tested by a cannabis testing facility or a facility of similar capabilities in another state. Such testing
32 shall:

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1 I. Confirm that the following test below threshold amounts: residual solvents, poisons or
2 toxins; harmful chemicals; dangerous mold or mildew; filth; dangerous pesticides and fungicides;
3 heavy metals; and harmful microbials such as E. coli or salmonella; and

4 II. Verify THC and other cannabinoid potency representations for labeling.

5 439-A:6 Packaging and Labeling of Regulated Hemp Products. Packaging and labeling for
6 regulated hemp products shall:

7 I. Disclose the total THC content and content by isomer of each product.

8 II. Be packaged in a way that is not designed to be attractive to minors including that they
9 cannot be in the shape of cartoons, toys, animals or people.

10 III. Prohibit flavors and designs of regulated hemp products which closely resemble other
11 consumer products, including candy.

12 IV. Not contain false, misleading, or illegible statements.

13 5 Unlawful Purposes; Hemp. Amend RSA 179:50 to read as follows:

14 179:50 Unlawful Purpose.

15 **I.** No licensee shall use, or allow to be used, his or her premises for any purpose contrary to
16 law.

17 **II. All licensees shall comply with the provisions of RSA 439-A, as applicable.**

18 6 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill repeals the prospective repeal of the prohibition on the sale of hemp products containing certain levels of THC and defines and regulates intoxicating hemp products.