
DIGEST

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HB 605 Original

2023 Regular Session

Schexnayder

Abstract: Provides for the regulation of consumable hemp products

Present law provides for definitions relative to consumable hemp products.

Proposed law adds a definition for "synthetically-derived cannabinoid".

Present law prohibits any person from processing, selling, or offer for sale any alcoholic beverage containing cannabidiol.

Proposed law expands the prohibition to prohibit any from preson from processing, selling, or offer for sale any alcoholic beverage containing any cannabinoid.

Present law provides that La.'s consumable hemp law shall be preempted by any federal statute, federal regulation, or guidance from a federal government agency that is less restrictive than the La.'s law.

Proposed law repeals present law.

Present law requires the La. Dept. of Health (LDH) to register consumable hemp products approves labels of consumable hemp products, and permit consumable hemp processors.

Proposed law adds specific responsibilities of LDH relative to the regulatory role.

Present law authorizes LDH to collect a registration fee of \$50 per consumable hemp product.

Proposed law reduces the fee from \$50 to \$25.

Present law adds provisions that all consumable hemp products shall meet in order to receive approval from LDH:

- (1) Must be contained in tamper-evident packaging.
- (2) Not be labeled, marketed, or intended for inhalation.
- (3) Not be marketed to children.

- (4) Not contain any type of cannabinoid that does not naturally occur in hemp.
- (5) Not contain any synthetically-derived cannabinoid.

Present law provides that consumable hemp products, including floral hemp material, cannot exceed a delta-9 THC concentration of more than 0.3% or a total THC concentration of more than 1%. Present law further restricts all consumable hemp products except for floral hemp material from exceeding 8mg of THC per serving.

Proposed law removes the exemption for floral hemp material and applies the 8mg of THC per serving limit on all consumable hemp products.

Proposed law provides the following restrictions on serving sizes:

- (1) For tinctures, extracts, concentrates, and other liquid-type products: the package shall include a measuring device capable of administering a single serving.
- (2) For beverages: a single can, bottle, or other container shall contain a maximum of a single serving.
- (3) For floral hemp material: a package shall contain a maximum of a single serving.
- (4) For all other products:
 - (a) An individual unit shall constitute a single serving and shall be separate and unattached to other units within a package.
 - (b) Multiple servings shall not be combined into one unit.
 - (c) A unit shall not be scored or separated in order to produce a single serving.
 - (d) A package shall contain a maximum of 20 servings.

Present law requires applications for consumable hemp product registration to include a certificate of analysis.

Proposed law requires the test included on the certificate of analysis to take place after any modifications to floral hemp material have been completed.

Proposed law authorizes LDH to require any applicant seeking registration of a consumable hemp product to submit photographs or renderings of the product. Proposed law further authorizes LDH to also require submission of a specimen of the actual product and all included accessories if determined necessary by LDH.

Proposed law authorizes LDH to conduct randomized sampling, analyzing, and testing of approved

consumable hemp products.

Present law outlines provisions that are required to be included in LDH's administrative rules.

Proposed law retains present law and adds additional provisions.

Present law provides regulatory authority the office of alcohol and tobacco control (ATC) for wholesaler, retailer, and special event permits.

Proposed law adds specific responsibilities of ATC relative to the office's regulatory role.

Present law authorizes ATC to collect an annual retail permit fee of \$175.

Proposed law increases the fee from \$175 to \$250.

Proposed law requires LDH to submit certain information regarding consumable hemp products to the House and Senate health and welfare committees on a quarterly basis from July 1, 2023, to July 1, 2025.

Amends R.S. 3:1481(11), (13), and (14), 1482(B)(1), 1483(A)(1)(intro. para.), (B)(intro. para.), (2), and (4) through (7), (C)(intro. para.), (D), (E)(intro. para.), (F)(intro. para.), (G)(intro. para.), (1), and (2), and (H) through (L), and 1484(A)(1), (B)(1)(a), (3), and (4), and (C) through (H); Adds R.S. 3:1481(15), 1483(F)(4) and (M) through (P), and 1484(I); Repeals R.S. 3:1482(E))