
DIGEST

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HB 952 Original

2024 Regular Session

Miller

Abstract: Provides for the production and sale of consumable hemp products.

Present law defines a "adult-use consumable hemp product" as any consumable hemp product that contains more than 0.5 mg of tetrahydrocannabinol. Proposed law repeals present law.

Present law defines a "serving". Proposed law repeals present law.

Present law defines a "consumable hemp product" as any product derived from industrial hemp that contains a cannabinoid, including cannabidiol, and is intended for consumption or topical use.

Proposed law adds that a consumable hemp product contains more than 0.5 mg of tetrahydrocannabinol.

Present law defines "THC" as a combination of tetrahydrocannabinol and tetrahydrocannabinolic acid.

Proposed law changes the term to "THC compound" and modifies the definition to include any combination tetrahydrocannabinol and tetrahydrocannabinolic acid.

Present law prohibits consumable hemp products that exceed a total delta-9 THC concentration of more than one percent. Proposed law partially repeals present law.

Present law further requires that no consumable hemp product exceed 8 mgs of total THC.

Proposed law modifies present law to state that no consumable hemp product shall exceed 8 mgs of THC compound per serving.

Present law permits floral hemp products that conform with present law requirements. Proposed law prohibits the production and sale of floral hemp products.

Present law establishes that a serving size shall be determinable by a measuring device capable of measuring one serving, or the consumable hemp product packaging shall enable a customer to determine when one serving has been consumed.

Proposed law establishes the following methods to determine serving size:

- (1) For tinctures, extracts, and concentrates, there shall be included a measuring device capable of administering a single serving.
- (2) For beverages, a can, bottle, or similar container shall contain no more than a single serving.
- (3) For all other products, an individual unit shall constitute a single serving and shall be separate and unattached to other units within a package.

Proposed law prohibits the sale of any consumable hemp product containing the following homologs of tetrahydrocannabinol:

- (1) Tetrahydrocannabihexol.
- (2) Tetrahydrocannabiphorol.
- (3) Tetrahydrocannabioctyl.
- (4) Tetrahydrocannabutol.

Present law provides that a person who knowingly, willfully, or intentionally violates present law shall be fined for each violation.

Proposed law provides that on the third or subsequent conviction for a violation of present law the commissioner may revoke the retailer's permit to sell consumable hemp products.

Proposed law requires that consumable hemp packaging must accurately reflect the contents of the packaging based on a chemical analysis. A variance between the packaging and the contents of the packaging shall be no greater than 15%.

Present law tasks the La. Dept. of Health (LDH) with approving consumable hemp product labels before the product may be sold.

Proposed law retains present law.

Present law contains temporal references to deadlines that are outdated.

Proposed law repeals the outdated temporal references.

Present law requires hemp retailers to obtain a certificate of analysis for each product label approved by LDH.

Proposed law tasks LDH with establishing requirements and standards for the independent labs that generate the certificate of analysis.

Proposed law states that any consumable hemp product registered by LDH in compliance with

present law prior to Jun. 30, 2024, may be sold in La. until Jan. 1, 2025.

Present law states that an individual must obtain a permit from the office of alcohol and tobacco to be allowed to sell consumable hemp products.

Proposed law adds that an applicant for a permit to sell consumable hemp products must be either a person or business entity. Proposed law further provides the applicant for a permit shall be the person or owner of the business entity that owns more than twenty-five percent of the business entity.

Proposed law states that an applicant for permit to sell consumable hemp shall meet all of the following requirements:

- (1) Be a person of good character and reputation over the age of eighteen.
- (2) Have not been convicted of distributing or possessing with the intent to distribute any illegal drug on any premises permitted to sell consumable hemp products.
- (3) Have not been convicted of a felony under the laws of the United States, the state of Louisiana, or any other state or country.
- (4) Have not been convicted of soliciting for prostitution, pandering, letting premises for prostitution, contributing to the delinquency of juveniles, keeping a disorderly place, letting a disorderly place, or illegally dealing in controlled dangerous substances.
- (5) Not owe the state or the local governmental subdivisions in which the application is made any delinquent sales taxes, penalties, or interest excluding items under formal appeal pursuant to applicable statutes.

Present law provides that no consumable hemp product may be sold to anyone under the age of 18.

Proposed law states that no consumable hemp product may be sold to anyone under the age of 21.

Proposed law states that a retailer shall verify the age of any person attempting to purchase a consumable hemp product using a reliable means such as a government-issued documentation card.

Proposed law states that a retailer shall display all consumable hemp products in a location out of the reach of the public without assistance from an employee of the retailer.

Present law states that Louisiana Industrial Hemp Promotion and Research Advisory Board shall consist of 15 members where one member is appointed by the commissioner of the office of alcohol and tobacco control. Proposed law changes present law to remove the commission and states that one member may be appointed by the Hemp Association of Louisiana.

(Adds R.S. 3:1481(4)(a) and (13), 1482(A), (B), and (D)(3), 1483(C), 1484(A), (B), and (H), and 1493(B)(9); Adds R.S. 3:1483(G)(6) and (M) and 1485; Repeals R.S. 3:1481(1) and (11), 1482(E),

and 1483(B)(6) and (7), (D), and (E)(3))