



General Assembly

**Amendment**

February Session, 2024

LCO No. 5324



Offered by:  
SEN. KELLY, 21<sup>st</sup> Dist.

To: Subst. House Bill No. **5150**      File No. 199      Cal. No. 414

(As Amended by House Amendment Schedule "A")

**"AN ACT CONCERNING CANNABIS AND HEMP REGULATION."**

1      Strike section 6 in its entirety and substitute the following in lieu  
2      thereof:

3      "Sec. 6. (NEW) (*Effective July 1, 2024*) (a) For the purposes of this  
4      section:

5      (1) "Container" (A) means an object that is offered, intended for sale  
6      or sold to a consumer and directly contains an infused beverage or  
7      legacy infused beverage, and (B) does not include an object or packaging  
8      that indirectly contains, or contains in bulk for transportation purposes,  
9      an infused beverage or legacy infused beverage; and

10      (2) "Legacy infused beverage" has the same meaning as provided in  
11      section 26 of this act.

12      (b) A fee of twenty-five cents shall be assessed by a dispensary  
13      facility, hybrid retailer or retailer on each infused beverage container

14 and legacy infused beverage container sold by such cannabis  
15 establishment. Such fee shall not be subject to any sales tax or treated as  
16 income pursuant to any provision of the general statutes.

17 (c) On October 1, 2024, and every six months thereafter, each  
18 dispensary facility, hybrid retailer or retailer shall remit payment to the  
19 department for each infused beverage container and legacy infused  
20 beverage container sold during the preceding six-month period. The  
21 funds received by the department from infused beverage sales and  
22 legacy infused beverage sales shall be deposited in the consumer  
23 protection enforcement account established in section 21a-8a of the  
24 general statutes for the purposes of (1) protecting public health and  
25 safety, (2) educating consumers and licensees, and (3) ensuring  
26 compliance with cannabis and liquor control laws."

27 Strike section 29 in its entirety and substitute the following in lieu  
28 thereof:

29 "Sec. 29. (NEW) (*Effective from passage*) (a) For the purposes of this  
30 section:

31 (1) "Business" means any individual or sole proprietorship,  
32 partnership, firm, corporation, trust, limited liability company, limited  
33 liability partnership, joint stock company, joint venture, association or  
34 other legal entity through which business for profit or not-for-profit is  
35 conducted;

36 (2) "Commissioner" means the Commissioner of Consumer  
37 Protection;

38 (3) "Container" (A) means an object that is intended for sale to a  
39 consumer, as defined in section 21a-420 of the general statutes, as  
40 amended by this act, and directly contains an infused beverage or legacy  
41 infused beverage, and (B) does not include an object or packaging that  
42 indirectly contains, or contains in bulk for transportation purposes, an  
43 infused beverage or legacy infused beverage;

44 (4) "Dispensary facility" has the same meaning as provided in section  
45 21a-420 of the general statutes, as amended by this act;

46 (5) "Hybrid retailer" has the same meaning as provided in section 21a-  
47 420 of the general statutes, as amended by this act;

48 (6) "Infused beverage" means a beverage that (A) is not an alcoholic  
49 beverage, as defined in section 30-1 of the general statutes, (B) is  
50 intended for human consumption, and (C) contains, or is advertised,  
51 labeled or offered for sale as containing, total THC, as defined in section  
52 21a-240 of the general statutes, as amended by this act, that is not greater  
53 than three milligrams per container;

54 (7) "Legacy infused beverage" means a beverage that (A) is not an  
55 alcoholic beverage, as defined in section 30-1 of the general statutes, (B)  
56 is intended for human consumption, (C) contains, or is advertised,  
57 labeled or offered for sale as containing, THC, as defined in section 21a-  
58 240 of the general statutes, as amended by this act, and (D) as of the  
59 effective date of this section, is in compliance with (i) the provisions of  
60 RERACA, as defined in section 21a-420 of the general statutes, as  
61 amended by this act, and (ii) the policies and procedures issued by the  
62 Commissioner of Consumer Protection to implement, and any  
63 regulations adopted pursuant to, RERACA, as defined in section 21a-  
64 420 of the general statutes, as amended by this act;

65 (8) "Package store" means premises operating under a permit issued  
66 under subsection (b) of section 30-20 of the general statutes, as amended  
67 by this act; and

68 (9) "Retailer" has the same meaning as provided in section 21a-420 of  
69 the general statutes, as amended by this act.

70 (b) (1) Beginning on May 15, 2024, no business, other than a  
71 dispensary facility, hybrid retailer, retailer or package store, shall sell  
72 any infused beverage or legacy infused beverage in this state unless  
73 such business has satisfied the requirements established in subdivision  
74 (1) of subsection (c) of this section.

75 (2) Beginning on October 1, 2024, no business, other than a dispensary  
76 facility, hybrid retailer, retailer or package store, shall sell, or possess  
77 with intent to sell, any infused beverage or legacy infused beverage in  
78 this state unless such business has satisfied the requirements established  
79 in subsection (c) of this section.

80 (c) (1) Not later than May 14, 2024, each business, other than a  
81 dispensary facility, hybrid retailer, retailer or package store, that owns  
82 and possesses any infused beverage or legacy infused beverage in this  
83 state on said date shall take an inventory of all containers such business  
84 owns and possesses in this state on said date.

85 (2) Not later than June 15, 2024, each business, other than a  
86 dispensary facility, hybrid retailer, retailer or package store, shall  
87 submit to the Department of Consumer Protection, in a form and  
88 manner prescribed by the Commissioner of Consumer Protection:

89 (A) A report disclosing the results of the inventory conducted  
90 pursuant to subdivision (1) of this section; and

91 (B) A fee in the amount of twenty-five cents per container included in  
92 such inventory.

93 (3) If any business, other than a dispensary facility, hybrid retailer,  
94 retailer or package store, fails to submit the report and pay the fee  
95 required under subdivision (2) of this subsection on or before June 15,  
96 2024, the Commissioner of Consumer Protection shall:

97 (A) Make a good faith estimate, based on the information available to  
98 the commissioner, of the number of containers that such business  
99 owned, and were in such business's possession, in this state on May 14,  
100 2024; and

101 (B) Invoice such business for a fee in the amount of twenty-five cents  
102 per container described in subparagraph (A) of this subdivision.

103 (d) All fees received by the Department of Consumer Protection  
104 under this section shall be deposited in the consumer protection

105 enforcement account established in section 21a-8a of the general  
106 statutes.

107 (e) If any business, other than a dispensary facility, hybrid retailer,  
108 retailer or package store, fails to submit the report and pay the fee  
109 required under subdivision (2) of subsection (c) of this section on or  
110 before June 15, 2024, the Commissioner of Consumer Protection may,  
111 subject to the provisions of chapter 54 of the general statutes, revoke,  
112 place conditions upon or suspend any certificate, license, permit,  
113 registration or other credential the Department of Consumer Protection  
114 has issued to or for such business."

115 Strike section 35 in its entirety and substitute the following in lieu  
116 thereof:

117 "Sec. 35. (NEW) (*Effective July 1, 2024*) (a) For the purposes of this  
118 section:

119 (1) "Container" has the same meaning as provided in section 26 of this  
120 act; and

121 (2) "Infused beverage" has the same meaning as provided in section  
122 26 of this act.

123 (b) A fee of twenty-five cents shall be assessed by the holder of a  
124 wholesaler permit or a wholesaler permit for beer issued under section  
125 30-17 of the general statutes on each infused beverage container sold to  
126 the holder of a package store permit issued under subsection (b) of  
127 section 30-20 of the general statutes, as amended by this act. Such fee  
128 shall not be subject to any sales tax or treated as income pursuant to any  
129 provision of the general statutes.

130 (c) On January 2, 2025, and every six months thereafter, each holder  
131 of a wholesaler permit or a wholesaler permit for beer issued under  
132 section 30-17 of the general statutes shall remit payment to the  
133 department for each infused beverage container sold during the  
134 preceding six-month period. The funds received by the department

135 from infused beverage sales shall be deposited in the consumer  
136 protection enforcement account established in section 21a-8a of the  
137 general statutes for the purposes of (1) protecting public health and  
138 safety, (2) educating consumers and licensees, and (3) ensuring  
139 compliance with cannabis and liquor control laws."

This act shall take effect as follows and shall amend the following sections:		
Sec. 6	<i>July 1, 2024</i>	New section
Sec. 29	<i>from passage</i>	New section
Sec. 35	<i>July 1, 2024</i>	New section