



General Assembly

**Amendment**

February Session, 2024

LCO No. 5808



Offered by:

SEN. MARONEY, 14<sup>th</sup> Dist.

REP. D'AGOSTINO, 91<sup>st</sup> Dist.

To: Senate Bill No. 200

File No. 73

Cal. No. 73

**"AN ACT ESTABLISHING A TASK FORCE TO STUDY CONSUMER PROTECTION MEASURES."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) (a) There is established a task force  
4 to study the effect of allowing social equity applicants described in  
5 section 21a-420o of the general statutes and eligible for cannabis  
6 cultivation licenses to (1) enter into business agreements to cultivate  
7 cannabis on the lots, and in the facilities, of hemp cultivators, which lots  
8 and facilities may be located outside of disproportionately impacted  
9 areas, as defined in section 21a-420 of the general statutes, and (2) form  
10 other business arrangements to facilitate market entry for, and the  
11 commercial viability of, their prospective businesses. Such study may  
12 include, but need not be limited to, an examination of (A) land and  
13 facility use agreements, and (B) forms of partnerships or other forms of  
14 joint business participation.

15 (b) The task force shall consist of the following members:

16 (1) One appointed by the speaker of the House of Representatives,  
17 who shall be a member of the House of Representatives and the joint  
18 standing committee of the General Assembly having cognizance of  
19 matters relating to consumer protection, and whose district shall  
20 include a disproportionately impacted area, as defined in section 21a-  
21 420 of the general statutes;

22 (2) One appointed by the president pro tempore of the Senate, who  
23 shall be a member of the Senate and the joint standing committee of the  
24 General Assembly having cognizance of matters relating to consumer  
25 protection, and whose district shall include a disproportionately  
26 impacted area, as defined in section 21a-420 of the general statutes;

27 (3) One appointed by the majority leader of the House of  
28 Representatives, who shall be a social equity applicant described in  
29 section 21a-420o of the general statutes seeking a license to cultivate  
30 cannabis outdoors;

31 (4) One appointed by the majority leader of the Senate, who shall be  
32 a member of the Social Equity Council who has been appointed to said  
33 council (A) pursuant to subdivision (4) of subsection (b) of section 21a-  
34 420d of the general statutes, or (B) by any other member of the General  
35 Assembly;

36 (5) One appointed by the minority leader of the House of  
37 Representatives, who shall be a producer, as defined in section 22-61l of  
38 the general statutes, who (A) has been continually licensed under  
39 section 22-61l of the general statutes since January 1, 2023, and (B) is  
40 located outside of a disproportionately impacted area, as defined in  
41 section 21a-420 of the general statutes;

42 (6) One appointed by the minority leader of the Senate, who shall be  
43 a member of the Social Equity Council who has been appointed to said  
44 council (A) pursuant to subdivision (6) of subsection (b) of section 21a-  
45 420d of the general statutes, or (B) by any other member of the General

46 Assembly;

47 (7) One appointed by the chairperson of the Black and Puerto Rican  
48 Caucus of the General Assembly, who shall be a member of the House  
49 of Representatives;

50 (8) One appointed by the chairperson of the Black and Puerto Rican  
51 Caucus of the General Assembly, who shall be a member of the Senate;  
52 and

53 (9) The Commissioner of Consumer Protection or said  
54 commissioner's designee, provided such designee shall (A) be  
55 employed by the Department of Consumer Protection, and (B) have  
56 been a resident of a disproportionately impacted area, as defined in  
57 section 21a-420 of the general statutes.

58 (c) All initial appointments to the task force shall be made not later  
59 than thirty days after the effective date of this section. Any vacancy shall  
60 be filled by the appointing authority.

61 (d) The speaker of the House of Representatives and the president  
62 pro tempore of the Senate shall select the chairpersons of the task force  
63 from among the members of the task force. Such chairpersons shall  
64 schedule the first meeting of the task force, which shall be held not later  
65 than sixty days after the effective date of this section.

66 (e) The administrative staff of the joint standing committee of the  
67 General Assembly having cognizance of matters relating to consumer  
68 protection shall serve as administrative staff of the task force.

69 (f) Not later than January 1, 2025, the task force shall submit a report  
70 on its findings and recommendations to the joint standing committee of  
71 the General Assembly having cognizance of matters relating to  
72 consumer protection, in accordance with the provisions of section 11-4a  
73 of the general statutes. The task force shall terminate on the date that it  
74 submits such report or January 1, 2025, whichever is later.

75 Sec. 2. Section 31 of substitute house bill 5150 of the current session,

76 as amended by House Amendment Schedule "A", is repealed and the  
77 following is substituted in lieu thereof (*Effective January 1, 2025*):

78 (a) As used in this section:

79 (1) "Cannabis establishment" has the same meaning as provided in  
80 section 21a-420 of the general statutes, as amended by [this act] section  
81 4 of substitute house bill 5150 of the current session, as amended by  
82 House Amendment Schedule "A";

83 (2) "Consumer" has the same meaning as provided in section 21a-420  
84 of the general statutes, as amended by [this act] section 4 of substitute  
85 house bill 5150 of the current session, as amended by House  
86 Amendment Schedule "A";

87 (3) "Container" (A) means an object that is offered, intended for sale  
88 or sold to a consumer and directly contains (i) a manufacturer hemp  
89 product, or (ii) a moderate-THC hemp product, and (B) does not include  
90 an object or packaging that indirectly contains, or contains in bulk for  
91 transportation purposes, (i) a manufacturer hemp product, or (ii) a  
92 moderate-THC hemp product;

93 (4) "Manufacturer" has the same meaning as provided in section 22-  
94 61l of the general statutes, as amended by section 23 of substitute house  
95 bill 5150 of the current session, as amended by House Amendment  
96 Schedule "A";

97 [(4)] (5) "Manufacturer hemp product" has the same meaning as  
98 provided in section 22-61l of the general statutes, as amended by [this  
99 act] section 23 of substitute house bill 5150 of the current session, as  
100 amended by House Amendment Schedule "A";

101 [(5)] (6) "Moderate-THC hemp product" (A) means a manufacturer  
102 hemp product that has total THC, as defined in section 21a-240 of the  
103 general statutes, as amended by [this act] section 1 of substitute house  
104 bill 5150 of the current session, as amended by House Amendment  
105 Schedule "A", of not less than one-half of one milligram, and not more

106 than five milligrams, on a per-container basis, and (B) does not include  
107 (i) an infused beverage, as defined in section 26 of [this act] substitute  
108 house bill 5150 of the current session, as amended by House  
109 Amendment Schedule "A", or (ii) a legacy infused beverage, as defined  
110 in section 26 of [this act] substitute house bill 5150 of the current session,  
111 as amended by House Amendment Schedule "A"; and

112 [(6)] (7) "Moderate-THC hemp product vendor" means a person that  
113 (A) holds a certificate of registration issued by the Commissioner of  
114 Consumer Protection pursuant to this section, and (B) is not a cannabis  
115 establishment.

116 (b) Beginning on January 1, 2025, no person shall sell or offer to sell,  
117 at retail, any moderate-THC hemp product in the state to consumers  
118 unless such person is a cannabis establishment or holds a certificate of  
119 registration issued by the Commissioner of Consumer Protection  
120 pursuant to this section. The provisions of this section shall not apply to  
121 the wholesale or commercial distribution of moderate-THC hemp  
122 products for resale.

123 (c) (1) (A) Beginning on January 1, 2025, a person seeking a certificate  
124 of registration as a moderate-THC hemp product vendor shall submit  
125 to the Commissioner of Consumer Protection, in a form and manner  
126 prescribed by the commissioner, an application accompanied by a  
127 nonrefundable application fee in the amount of two thousand dollars or,  
128 if the applicant actively holds a manufacturer license, in the amount of  
129 one thousand dollars. Such application shall, at a minimum, disclose:

130 (i) The location in the state where such person currently sells or offers  
131 to sell, or proposes to sell or offer to sell, at retail, moderate-THC hemp  
132 products to consumers; and

133 (ii) Except as provided in subparagraph (C) of this subdivision,  
134 information sufficient for the commissioner to determine that:

135 (I) During the preceding year, at least eighty-five per cent of the  
136 average monthly gross revenue generated at such existing retail location

137 was derived from sales, at retail, of moderate-THC hemp products to  
138 consumers; or

139 (II) It is reasonably likely that at least eighty-five per cent of the  
140 average monthly gross revenue to be generated at such proposed retail  
141 location will be derived from sales, at retail, of moderate-THC hemp  
142 products to consumers.

143 (B) Except as provided in subparagraph (C) of this subdivision, the  
144 commissioner shall not issue a certificate of registration as a moderate-  
145 THC hemp product vendor unless the commissioner has determined  
146 that the applicant satisfies, or is reasonably likely to satisfy, the  
147 minimum sales threshold established in subparagraph (A) of this  
148 subdivision. Each such certificate shall expire annually, and shall allow  
149 the moderate-THC hemp product vendor to sell and offer to sell, at  
150 retail, moderate-THC hemp products to consumers at such location.

151 (C) (i) No person seeking a certificate of registration as a moderate-  
152 THC hemp product vendor shall be required to disclose information  
153 sufficient for the Commissioner of Consumer Protection to determine  
154 that such person satisfies, or is reasonably likely to satisfy, the minimum  
155 sales threshold established in subparagraph (A) of this subdivision if  
156 such person (I) manufactures moderate-THC hemp products at the  
157 location in the state where such person sells or offers to sell, or proposes  
158 to sell or offer to sell, at retail, moderate-THC hemp products to  
159 consumers, or (II) is actively licensed as a manufacturer and sells or  
160 offers to sell, or proposes to sell or offer to sell, at retail, to consumers  
161 moderate-THC hemp products manufactured by such manufacturer.

162 (ii) The commissioner may issue a certificate of registration as a  
163 moderate-THC hemp product vendor to a person that satisfies the  
164 criteria set forth in [this] subparagraph (C)(i) of this subdivision even if  
165 such person does not satisfy the minimum sales threshold established  
166 in subparagraph (A) of this subdivision.

167 (2) (A) Each certificate issued pursuant to this section shall be  
168 renewable for additional one-year periods. Each moderate-THC hemp

169 product vendor seeking renewal shall submit to the Commissioner of  
170 Consumer Protection, in a form and manner prescribed by the  
171 commissioner, a renewal application accompanied by a nonrefundable  
172 renewal application fee in the amount of two thousand dollars or, if the  
173 moderate-THC hemp product vendor actively holds a manufacturer  
174 license, in the amount of one thousand dollars. Such application shall,  
175 at a minimum and except as provided in subparagraph (B) of this  
176 subdivision, disclose information sufficient for the commissioner to  
177 determine that, during the preceding registration year, at least eighty-  
178 five per cent of the average monthly gross revenue generated at the  
179 moderate-THC hemp product vendor's registered retail location was  
180 derived from sales, at retail, of moderate-THC hemp products to  
181 consumers. Except as provided in subparagraph (B) of this subdivision,  
182 the commissioner shall not issue a renewal to a moderate-THC hemp  
183 product vendor unless the commissioner has determined that the  
184 moderate-THC hemp product vendor satisfied such minimum sales  
185 threshold.

186 (B) (i) No moderate-THC hemp product vendor seeking renewal of a  
187 certificate issued pursuant to this section shall be required to disclose  
188 information sufficient for the Commissioner of Consumer Protection to  
189 determine that such moderate-THC hemp product vendor satisfied the  
190 minimum sales threshold established in subparagraph (A) of this  
191 subdivision if (I) such moderate-THC hemp product vendor  
192 manufactures moderate-THC hemp products at such moderate-THC  
193 hemp product vendor's registered retail location, or (II) is actively  
194 licensed as a manufacturer and sells or offers to sell, at retail, to  
195 consumers moderate-THC hemp products manufactured by such  
196 manufacturer.

197 (ii) The commissioner may issue a renewal to a moderate-THC hemp  
198 product vendor that satisfies the criteria set forth in [this] subparagraph  
199 (B)(i) of this subdivision even if the moderate-THC hemp product  
200 vendor did not satisfy the minimum sales threshold established in  
201 subparagraph (A) of this subdivision.

202 (3) All fees collected by the department under this section shall be  
203 deposited in the consumer protection enforcement account established  
204 in section 21a-8a of the general statutes.

205 (d) No person may act as a moderate-THC hemp product vendor, or  
206 represent that such person is a moderate-THC hemp product vendor,  
207 unless such person has obtained and actively holds a certificate of  
208 registration as a moderate-THC hemp product vendor issued by the  
209 Commissioner of Consumer Protection pursuant to this section.

210 (e) No cannabis establishment or moderate-THC hemp product  
211 vendor, or agent or employee of a cannabis establishment or moderate-  
212 THC hemp product vendor, shall sell a moderate-THC hemp product to  
213 any individual who is younger than twenty-one years of age. Prior to  
214 selling any moderate-THC hemp product to an individual, the cannabis  
215 establishment, moderate-THC hemp product vendor, agent or  
216 employee shall first verify the individual's age with a valid government-  
217 issued driver's license or identity card to establish that such individual  
218 is twenty-one years of age or older.

219 (f) No person shall sell any moderate-THC hemp product intended  
220 for human ingestion in packaging that includes more than two  
221 containers.

222 (g) All moderate-THC hemp products shall meet the standards set  
223 forth for manufacturer hemp products in subsections (v), (w) and (x) of  
224 section 22-61m of the general statutes, as amended by [this act] section  
225 24 of substitute house bill 5150 of the current session, as amended by  
226 House Amendment Schedule "A".

227 (h) All moderate-THC hemp products shall meet (1) the testing  
228 standards for manufacturer hemp products established in, and any  
229 regulations adopted pursuant to, section 22-61m of the general statutes,  
230 as amended by [this act] section 24 of substitute house bill 5150 of the  
231 current session, as amended by House Amendment Schedule "A", or (2)  
232 such other testing standards for manufacturer hemp products as the  
233 Commissioner of Consumer Protection, in the commissioner's



234 discretion, may designate.

235 (i) Each moderate-THC hemp product container shall prominently  
236 display a symbol, in a size of not less than one-half inch by one-half inch  
237 and in a format approved by the Commissioner of Consumer Protection,  
238 that indicates that such moderate-THC hemp product is not legal or safe  
239 for individuals younger than twenty-one years of age.

240 (j) No cannabis establishment or moderate-THC hemp product  
241 vendor, or agent or employee of a cannabis establishment or moderate-  
242 THC hemp product vendor, shall gift or transfer any moderate-THC  
243 hemp product at no cost to a consumer as part of a commercial  
244 transaction.

245 (k) Each moderate-THC hemp product vendor shall be subject to the  
246 investigation and enforcement provisions set forth in section 21a-421p  
247 of the general statutes.

248 (l) The Commissioner of Consumer Protection shall adopt  
249 regulations, in accordance with the provisions of chapter 54 of the  
250 general statutes, to implement the provisions of this section.  
251 Notwithstanding the requirements of sections 4-168 to 4-172, inclusive,  
252 of the general statutes, the commissioner shall, prior to adopting such  
253 regulations and in order to effectuate the provisions of this section, issue  
254 policies and procedures to implement the provisions of this section that  
255 shall have the force and effect of law. The commissioner shall post all  
256 policies and procedures on the Department of Consumer Protection's  
257 Internet web site, and submit such policies and procedures to the  
258 Secretary of the State for posting on the eRegulations System, at least  
259 fifteen days prior to the effective date of any policy or procedure. Any  
260 such policy or procedure shall no longer be effective upon the earlier of  
261 either the adoption of the policy or procedure as a final regulation under  
262 section 4-172 of the general statutes or forty-eight months from July 1,  
263 2024, if such regulations have not been submitted to the legislative  
264 regulation review committee for consideration under section 4-170 of  
265 the general statutes.

266 (m) Following a hearing conducted in accordance with chapter 54 of  
 267 the general statutes, the Commissioner of Consumer Protection may  
 268 impose an administrative civil penalty, not to exceed five thousand  
 269 dollars per violation, and suspend, revoke or place conditions upon any  
 270 moderate-THC hemp product vendor that violates any provision of this  
 271 section or any regulation adopted pursuant to subsection (l) of this  
 272 section. Any administrative civil penalty collected under this subsection  
 273 shall be deposited in the consumer protection enforcement account  
 274 established in section 21a-8a of the general statutes.

275 Sec. 3. Section 29 of substitute house bill 5150 of the current session,  
 276 as amended by House Amendment Schedule "A", is repealed (*Effective*  
 277 *from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>January 1, 2025</i>	HB 5150 (current session), Sec. 31
Sec. 3	<i>from passage</i>	HB 5150 (current session), Sec. 29