

Senate Bill 481

By: Senators Brass of the 28th, Kennedy of the 18th and Mullis of the 53rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and
2 offenses, so as to provide that low THC oil, marijuana, and tetrahydrocannabinols do not
3 include certain federally approved products; to remove epidiolex as a Schedule V controlled
4 substance; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
8 amended by revising Code Section 16-12-190, relating to the definition of low THC oil, as
9 follows:

10 "16-12-190.

11 As used in this article, the term 'low THC oil' means an oil that contains an amount of
12 cannabidiol and not more than 5 percent by weight of tetrahydrocannabinol,
13 tetrahydrocannabinolic acid, or a combination of tetrahydrocannabinol and
14 tetrahydrocannabinolic acid which does not contain plant material exhibiting the external
15 morphological features of the plant of the genus Cannabis. Such term shall not mean
16 products approved by the federal Food and Drug Administration under Section 505 of the
17 federal Food, Drug, and Cosmetic Act."

18 style="text-align:center">**SECTION 2.**

19 Said title is further amended in Code Section 16-13-21, relating to definitions relative to
20 "Georgia Controlled Substances Act," by revising paragraph (16) as follows:

21 "(16) 'Marijuana' means all parts of the plant of the genus Cannabis, whether growing or
22 not, the seeds thereof, the resin extracted from any part of such plant, and every
23 compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds,
24 or resin, but shall not include samples as described in subparagraph (P) of paragraph (3)
25 of Code Section 16-13-25; shall not include the completely defoliated mature stalks of

26 such plant, fiber produced from such stalks, oil, or cake, or the completely sterilized
27 samples of seeds of the plant which are incapable of germination; and shall not include
28 hemp or hemp products as such terms are defined in Code Section 2-23-3. Such term
29 shall not include products approved by the federal Food and Drug Administration under
30 Section 505 of the federal Food, Drug, and Cosmetic Act."

31 **SECTION 3.**

32 Said title is further amended in Code Section 16-13-25, relating to Schedule I controlled
33 substances, by revising subparagraph (3)(P) as follows:

34 "(P) Tetrahydrocannabinol, tetrahydrocannabinolic acid, or a combination of
35 tetrahydrocannabinol and tetrahydrocannabinolic acid which does not contain plant
36 material exhibiting the external morphological features of the plant of the genus
37 Cannabis, but not including such substance when found in hemp or hemp products as
38 such terms are defined in Code Section 2-23-3. Tetrahydrocannabinols do not include
39 products approved by the federal Food and Drug Administration under Section 505 of
40 the federal Food, Drug, and Cosmetic Act;"

41 **SECTION 4.**

42 Said chapter is further amended in Code Section 16-13-29, relating to Schedule V controlled
43 substances, by repealing paragraph (1.5).

44 **SECTION 5.**

45 All laws and parts of laws in conflict with this Act are repealed.