

HOUSE BILL NO. 1781

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PERKINS.

4161H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 195, RSMo, by adding thereto one new section relating to intoxicating cannabinoids.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 195, RSMo, is amended by adding thereto one new section, to be
2 known as section 195.814, to read as follows:

3 **195.814. 1. The provisions of this section shall be known and may be cited as the**
4 **"Intoxicating Cannabinoid Control Act".**

5 **2. As used in this section, the following terms shall mean:**

6 **(1) "CBD", cannabidiol, a nonintoxicating cannabinoid found in cannabis and**
7 **hemp;**

8 **(2) "Cannabimimetic agent", the same meaning given to the term in 21 CFR**
9 **Part 1308;**

10 **(3) "Cannabinoid", any of the ligands that are plant-derived, synthetic, or**
11 **semisynthetic and that have an affinity for and activity at cannabinoid receptors;**

12 **(4) "Department", the department of health and senior services;**

13 **(5) "Intoxicating cannabinoid":**

14 **(a) Any cannabinoid or cannabimimetic agent, however derived or created, that**
15 **has an intoxicating effect when consumed or otherwise ingested, regardless of whether**
16 **the cannabinoid or cannabimimetic agent was created or developed through natural**
means or through chemical conversion, isomerization, synthetic derivation, heat, or any
other process by which molecules may be manipulated; and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **(b) Any cannabinoid, semisynthetic or synthetic cannabinoid, or precursor to an**
18 **intoxicating cannabinoid that may become intoxicating when heated, decarboxylated, or**
19 **otherwise manipulated, excluding, without limitation, CBD.**

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21 **The term "intoxicating cannabinoid" shall be construed to conform to, and be included**
22 **in, the definition of "marijuana" under Article XIV of the Constitution of Missouri and**
23 **shall not be construed to conform to or be included in the definition of "industrial**
24 **hemp" in section 195.010;**

25 **(6) "Intoxicating cannabinoid product", any product containing an intoxicating**
26 **cannabinoid;**

27 **(7) "Marijuana", the same meaning given to the term in Article XIV of the**
28 **Constitution of Missouri;**

29 **(8) "Synthetic cannabinoid", the same meaning given to the term in section**
30 **195.010.**

31 **3. Notwithstanding any provision of law to the contrary, all intoxicating**
32 **cannabinoid products are marijuana and shall be regulated by the department in the**
33 **same manner as the department regulates marijuana under Article XIV of the**
34 **Constitution of Missouri including, but not limited to, requiring intoxicating**
35 **cannabinoid products to be subject to the same growing, manufacturing, dispensing,**
36 **transportation, advertising, marketing, testing, packaging, and labeling requirements as**
37 **marijuana and requiring that all intoxicating cannabinoid products are cultivated,**
38 **manufactured, and sold only at a licensed comprehensive facility, medical facility, or**
39 **marijuana microbusiness facility, as such terms are defined in Article XIV of the**
40 **Constitution of Missouri. The department shall regulate all intoxicating cannabinoid**
41 **products consistent with, and in addition to, other natural marijuana products in**
42 **accordance with its constitutionally mandated requirement to regulate marijuana**
43 **within the framework of Article XIV of the Constitution of Missouri.**

44 **4. The provisions of section 195.195 shall apply to this section.**

45 **5. The department shall collaborate with the department of public safety and all**
46 **other pertinent law enforcement agencies in this state to ensure the provisions of this**
47 **section are enforced.**

48 **6. The department and the department of public safety shall actively and**
49 **aggressively enforce the provisions of this section and all department rules and**
50 **regulations promulgated under this section.**

51 **7. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
52 **created under the authority delegated in this section shall become effective only if it**
53 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**

54 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
55 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
56 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
57 **then the grant of rulemaking authority and any rule proposed or adopted after August**
58 **28, 2024, shall be invalid and void.**

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