

SENATE BILL 1236

By Haile

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 17, Part 4 and Title 43, Chapter 27,  
relative to cannabis products.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-415(a), is amended by adding the following as new subdivisions:

- ( ) Tetrahydrocannabiphorol (THCp);
- ( ) Tetrahydrocannabinolic acid (THCa);

SECTION 2. Tennessee Code Annotated, Section 43-27-101, is amended by deleting subdivision (3) and substituting:

(3) "Hemp" means the plant species *cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total delta-9 tetrahydrocannabinol (THC) concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis;

SECTION 3. Tennessee Code Annotated, Section 43-27-101, is amended by adding the following as new subdivisions:

- ( ) "Decarboxylation" means the removal or elimination of a carboxyl group from a molecule or organic compound;
- ( ) "Total THC" means the value determined after the process of decarboxylation, or the application of a conversion factor if the testing methodology does not include decarboxylation, that expresses the potential total delta-9 tetrahydrocannabinol content derived from the sum of the THC and

tetrahydrocannabinolic acid (THCa) content and reported on a dry weight basis. The total potential THC may be calculated by using one of the following techniques:

(A) Using a chromatograph technique utilizing heat, such as gas chromatography, through which THCa is converted from its acid form to its neutral form, THC; and

(B) Using a liquid chromatograph technique, which keeps the THCa intact. This technique requires the use of the following conversion: [Total THC = (0.877 x THCa) + THC].

SECTION 4. Tennessee Code Annotated, Section 43-27-202(2)(C), is amended by adding the following as new subdivisions (xi) and (xii) and redesignating the existing subdivision (xi) accordingly:

(xi) Tetrahydrocannabiphorol (THCp);

(xii) Tetrahydrocannabinolic acid (THCa); or

SECTION 5. Tennessee Code Annotated, Section 43-27-203(a), is amended by adding the following as a new subdivision:

(3) A product containing a substance identified in § 43-27-202(2)(C)(xi)-(xii) that is knowingly manufactured, produced, sold, or offered for sale is subject to seizure and forfeiture pursuant to § 53-11-451.

SECTION 6. Tennessee Code Annotated, Section 43-27-207(d)(4), is amended by deleting the language and substituting:

(4) Sample and analyze a hemp-derived cannabinoid product produced, distributed, and offered for sale in this state for cannabinoid concentrations, tested according to protocols promulgated by rule under this part. Departmental testing must be done by post-decarboxylation to determine a cannabinoid profile of samples tested, including their THC concentrations.

SECTION 7. This act takes effect upon becoming a law, the public welfare requiring it.