



General Assembly

Amendment

January Session, 2023

LCO No. 7438



Offered by:

REP. D'AGOSTINO, 91st Dist.

REP. RUTIGLIANO, 123rd Dist.

To: Subst. House Bill No. 6699

File No. 201

Cal. No. 150

"AN ACT CONCERNING CANNABIS REGULATION."

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

3 "Section 1. Section 21a-240 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2023*):

5 The following words and phrases, as used in this chapter, shall have
6 the following meanings, unless the context otherwise requires:

7 (1) "Abuse of drugs" means the use of controlled substances solely for
8 their stimulant, depressant or hallucinogenic effect upon the higher
9 functions of the central nervous system and not as a therapeutic agent
10 prescribed in the course of medical treatment or in a program of
11 research operated under the direction of a physician or pharmacologist,
12 [;]

13 (2) "Administer" means the direct application of a controlled
14 substance, whether by injection, inhalation, ingestion or any other
15 means, to the body of a patient or research subject by: (A) A practitioner,

16 or, in [his] the practitioner's presence, by [his] the practitioner's
17 authorized agent, or (B) the patient or research subject at the direction
18 and in the presence of the practitioner, or (C) a nurse or intern under the
19 direction and supervision of a practitioner. [;]

20 (3) "Agent" means an authorized person who acts on behalf of or at
21 the direction of a manufacturer, distributor, dispenser or prescribing
22 practitioner. [It] but does not include a common or contract carrier,
23 public warehouseman, or employee of the carrier or warehouseman. [;]

24 (4) "Amphetamine-type substances" include amphetamine, optical
25 isomers thereof, salts of amphetamine and its isomers, and chemical
26 compounds which are similar thereto in chemical structure or which are
27 similar thereto in physiological effect, and which show a like potential
28 for abuse, which are controlled substances under this chapter unless
29 modified. [;]

30 (5) "Barbiturate-type drugs" include barbituric acid and its salts,
31 derivatives thereof and chemical compounds which are similar thereto
32 in chemical structure or which are similar thereto in physiological effect,
33 and which show a like potential for abuse, which are controlled
34 substances under this chapter unless modified. [;]

35 (6) "Bureau" means the Bureau of Narcotics and Dangerous Drugs,
36 United States Department of Justice, or its successor agency. [;]

37 (7) "Cannabis-type substances" include all parts of any plant, or
38 species of the genus cannabis or any infra specific taxon thereof whether
39 growing or not; the seeds thereof; the resin extracted from any part of
40 such a plant; and every compound, manufacture, salt, derivative,
41 mixture or preparation of such plant, its seeds or resin; but shall not
42 include the mature stalks of such plant, fiber produced from such stalks,
43 oil or cake made from the seeds of such plant, any other compound,
44 manufacture, salt, derivative, mixture or preparation of such mature
45 stalks, except the resin extracted therefrom, fiber, oil or cake, the
46 sterilized seed of such plant which is incapable of germination, or hemp,
47 as defined in 7 USC 1639o, as amended from time to time. Included are

48 cannabion, cannabiol, cannabidiol and chemical compounds which
49 are similar to cannabion, cannabiol or cannabidiol in chemical
50 structure or which are similar thereto in physiological effect, and which
51 show a like potential for abuse, which are controlled substances under
52 this chapter unless derived from hemp, as defined in section 22-61l, as
53 amended by this act. [;]

54 (8) "Controlled drugs" are those drugs which contain any quantity of
55 a substance which has been designated as subject to the federal
56 Controlled Substances Act, or which has been designated as a
57 depressant or stimulant drug pursuant to federal food and drug laws,
58 or which has been designated by the Commissioner of Consumer
59 Protection pursuant to section 21a-243, as having a stimulant,
60 depressant or hallucinogenic effect upon the higher functions of the
61 central nervous system and as having a tendency to promote abuse or
62 psychological or physiological dependence, or both. Such controlled
63 drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-
64 type, cocaine-type, hallucinogenic, morphine-type and other stimulant
65 and depressant drugs. Specifically excluded from controlled drugs and
66 controlled substances are alcohol, nicotine and caffeine. [;]

67 (9) "Controlled substance" means a drug, substance, or immediate
68 precursor in schedules I to V, inclusive, of the Connecticut controlled
69 substance scheduling regulations adopted pursuant to section 21a-243.
70 [;]

71 (10) "Counterfeit substance" means a controlled substance which, or
72 the container or labeling of which, without authorization, bears the
73 trademark, trade name or other identifying mark, imprint, number or
74 device, or any likeness thereof, of a manufacturer, distributor or
75 dispenser other than the person who in fact manufactured, distributed
76 or dispensed the substance. [;]

77 (11) "Deliver or delivery" means the actual, constructive or attempted
78 transfer from one person to another of a controlled substance, whether
79 or not there is an agency relationship. [;]

80 (12) "Dentist" means a person authorized by law to practice dentistry
81 in this state. [;]

82 (13) "Dispense" means to deliver a controlled substance to an ultimate
83 user or research subject by or pursuant to the lawful order of a
84 practitioner, including the prescribing, administering, packaging,
85 labeling or compounding necessary to prepare the substance for the
86 delivery. [;]

87 (14) "Dispenser" means a practitioner who dispenses. [;]

88 (15) "Distribute" means to deliver other than by administering or
89 dispensing a controlled substance. [;]

90 (16) "Distributor" means a person who distributes and includes a
91 wholesaler who is a person supplying or distributing controlled drugs
92 which [he himself] the person personally has not produced or prepared
93 to hospitals, clinics, practitioners, pharmacies, other wholesalers,
94 manufacturers and federal, state and municipal agencies. [;]

95 (17) "Drug" means (A) substances recognized as drugs in the official
96 United States Pharmacopoeia, official Homeopathic Pharmacopoeia of
97 the United States, or official National Formulary, or any supplement to
98 any of them; (B) substances intended for use in the diagnosis, cure,
99 mitigation, treatment or prevention of disease in man or animals; (C)
100 substances, other than food, intended to affect the structure or any
101 function of the body of man or animals; and (D) substances intended for
102 use as a component of any article specified in subparagraph (A), (B) or
103 (C) of this subdivision. It does not include devices or their components,
104 parts or accessories. [;]

105 (18) "Drug dependence" means a psychoactive substance dependence
106 on drugs as that condition is defined in the most recent edition of the
107 "Diagnostic and Statistical Manual of Mental Disorders" of the American
108 Psychiatric Association. [;]

109 (19) "Drug-dependent person" means a person who has a

110 psychoactive substance dependence on drugs as that condition is
111 defined in the most recent edition of the "Diagnostic and Statistical
112 Manual of Mental Disorders" of the American Psychiatric Association.
113 [.]

114 (20) (A) "Drug paraphernalia" means equipment, products and
115 materials of any kind that are used, intended for use or designed for use
116 in planting, propagating, cultivating, growing, harvesting,
117 manufacturing, compounding, converting, producing, processing,
118 preparing, testing, analyzing, packaging, repackaging, storing,
119 containing or concealing, or ingesting, inhaling or otherwise
120 introducing into the human body, any controlled substance contrary to
121 the provisions of this chapter, including, but not limited to: (i) Kits
122 intended for use or designed for use in planting, propagating,
123 cultivating, growing or harvesting of any species of plant that is a
124 controlled substance or from which a controlled substance can be
125 derived; (ii) kits used, intended for use or designed for use in
126 manufacturing, compounding, converting, producing, processing or
127 preparing controlled substances; (iii) isomerization devices used or
128 intended for use in increasing the potency of any species of plant that is
129 a controlled substance; (iv) testing equipment used, intended for use or
130 designed for use in identifying or analyzing the strength, effectiveness
131 or purity of controlled substances; (v) dilutents and adulterants,
132 including, but not limited to, quinine hydrochloride, mannitol, mannite,
133 dextrose and lactose used, intended for use or designed for use in
134 cutting controlled substances; (vi) separation gins and sifters used,
135 intended for use or designed for use in removing twigs and seeds from,
136 or in otherwise cleaning or refining, marijuana; (vii) capsules and other
137 containers used, intended for use or designed for use in packaging small
138 quantities of controlled substances; (viii) containers and other objects
139 used, intended for use or designed for use in storing or concealing
140 controlled substances; and (ix) objects used, intended for use or
141 designed for use in ingesting, inhaling, or otherwise introducing
142 marijuana, cocaine, hashish, or hashish oil into the human body,
143 including, but not limited to, wooden, acrylic, glass, stone, plastic or

144 ceramic pipes with screens, permanent screens, hashish heads or
145 punctured metal bowls; water pipes; carburetion tubes and devices;
146 smoking and carburetion masks; roach clips; miniature cocaine spoons
147 and cocaine vials; chamber pipes; carburetor pipes; electric pipes; air-
148 driven pipes; chillums; bongs; ice pipes and chillers. "Drug
149 paraphernalia" does not include a product used by a manufacturer
150 licensed pursuant to this chapter for the activities permitted under the
151 license or by an individual to test any substance prior to injection,
152 inhalation or ingestion of the substance to prevent accidental overdose
153 by injection, inhalation or ingestion of the substance, provided the
154 licensed manufacturer or individual is not using the product to engage
155 in the unlicensed manufacturing or distribution of controlled
156 substances. As used in this subdivision, "roach clip" means an object
157 used to hold burning material, including, but not limited to, a marijuana
158 cigarette, that has become too small or too short to be held between the
159 fingers. [;]

160 (B) "Factory" means any place used for the manufacturing, mixing,
161 compounding, refining, processing, packaging, distributing, storing,
162 keeping, holding, administering or assembling illegal substances
163 contrary to the provisions of this chapter, or any building, rooms or
164 location which contains equipment or paraphernalia used for this
165 purpose. [;]

166 (21) "Federal Controlled Substances Act, 21 USC 801 et seq." means
167 Public Law 91-513, the Comprehensive Drug Abuse Prevention and
168 Control Act of 1970. [;]

169 (22) "Federal food and drug laws" means the federal Food, Drug and
170 Cosmetic Act, as amended, Title 21 USC 301 et seq. [;]

171 (23) "Hallucinogenic substances" are psychodysleptic substances,
172 other than cannabis-type substances, which assert a confusional or
173 disorganizing effect upon mental processes or behavior and mimic
174 acute psychotic disturbances. Exemplary of such drugs are mescaline,
175 peyote, psilocyn and d-lysergic acid diethylamide, which are controlled

176 substances under this chapter unless modified. [;]

177 (24) "High-THC hemp product" means a manufacturer hemp
178 product, as defined in section 22-61l, as amended by this act, that has, or
179 is advertised, labeled or offered for sale as having, total THC that
180 exceeds (A) for a hemp edible, hemp topical or hemp transdermal patch
181 (i) one milligram on a per-serving basis, or (ii) five milligrams on a per-
182 container basis, (B) for a hemp tincture, including, but not limited to, oil
183 intended for ingestion by swallowing, buccal administration or
184 sublingual absorption (i) one milligram on a per-serving basis, or (ii)
185 twenty-five milligrams on a per-container basis, (C) for a hemp
186 concentrate or extract, including, but not limited to, a vape oil, wax or
187 shatter, twenty-five milligrams on a per-container basis, or (D) for a
188 manufacturer hemp product not described in subparagraph (A), (B) or
189 (C) of this subdivision, (i) one milligram on a per-serving basis, (ii) five
190 milligrams on a per-container basis, or (iii) three-tenths per cent on a
191 dry-weight basis for cannabis flower or cannabis trim.

192 [(24)] (25) "Hospital", as used in sections 21a-243 to 21a-283, inclusive,
193 means an institution for the care and treatment of the sick and injured,
194 approved by the Department of Public Health or the Department of
195 Mental Health and Addiction Services as proper to be entrusted with
196 the custody of controlled drugs and substances and professional use of
197 controlled drugs and substances under the direction of a licensed
198 practitioner. [;]

199 [(25)] (26) "Intern" means a person who holds a degree of doctor of
200 medicine or doctor of dental surgery or medicine and whose period of
201 service has been recorded with the Department of Public Health and
202 who has been accepted and is participating in training by a hospital or
203 institution in this state. Doctors meeting the foregoing requirements and
204 commonly designated as "residents" and "fellows" shall be regarded as
205 interns for purposes of this chapter. [;]

206 [(26)] (27) "Immediate precursor" means a substance which the
207 Commissioner of Consumer Protection has found to be, and by

208 regulation designates as being, the principal compound commonly used
209 or produced primarily for use, and which is an immediate chemical
210 intermediary used or likely to be used, in the manufacture of a
211 controlled substance, the control of which is necessary to prevent, curtail
212 or limit manufacture. [;]

213 [(27)] (28) "Laboratory" means a laboratory approved by the
214 Department of Consumer Protection as proper to be entrusted with the
215 custody of controlled substances and the use of controlled substances
216 for scientific and medical purposes and for purposes of instruction,
217 research or analysis. [;]

218 [(28)] (29) "Manufacture" means the production, preparation,
219 cultivation, growing, propagation, compounding, conversion or
220 processing of a controlled substance, either directly or indirectly by
221 extraction from substances of natural origin, or independently by means
222 of chemical synthesis, or by a combination of extraction and chemical
223 synthesis, and includes any packaging or repackaging of the substance
224 or labeling or relabeling of its container, except that this term does not
225 include the preparation or compounding of a controlled substance by
226 an individual for [his] the individual's own use or the preparation,
227 compounding, packaging or labeling of a controlled substance: (A) By a
228 practitioner as an incident to [his] the practitioner administering or
229 dispensing of a controlled substance in the course of [his] such
230 practitioner's professional practice, or (B) by a practitioner, or by [his]
231 the practitioner's authorized agent under [his] such practitioner's
232 supervision, for the purpose of, or as an incident to, research, teaching
233 or chemical analysis and not for sale. [;]

234 [(29)] (30) "Marijuana" means all parts of any plant, or species of the
235 genus cannabis or any infra specific taxon thereof, whether growing or
236 not; the seeds thereof; the resin extracted from any part of the plant;
237 every compound, manufacture, salt, derivative, mixture, or preparation
238 of such plant, its seeds or resin, any [product made using hemp, as
239 defined in section 22-61l, which exceeds three-tenths per cent total THC
240 concentration on a dry-weight basis] high-THC hemp product;

241 manufactured cannabinoids, synthetic cannabinoids, except as
242 provided in subparagraph (E) of this subdivision; or cannabinon,
243 cannabiniol or cannabidiol and chemical compounds which are similar
244 to cannabinon, cannabiniol or cannabidiol in chemical structure or which
245 are similar thereto in physiological effect, which are controlled
246 substances under this chapter, except cannabidiol derived from hemp,
247 as defined in section 22-61l, as amended by this act, [with a total THC
248 concentration of not more than three-tenths per cent on a dry-weight
249 basis] that is not a high-THC hemp product. "Marijuana" does not
250 include: (A) The mature stalks of such plant, fiber produced from such
251 stalks, oil or cake made from the seeds of such plant, any other
252 compound, manufacture, salt, derivative, mixture or preparation of
253 such mature stalks, except the resin extracted from such mature stalks
254 or fiber, oil or cake; (B) the sterilized seed of such plant which is
255 incapable of germination; (C) hemp, as defined in section 22-61l, as
256 amended by this act, (i) with a total THC concentration of not more than
257 three-tenths per cent on a dry-weight basis, and (ii) that is not a high-
258 THC hemp product; (D) any substance approved by the federal Food
259 and Drug Administration or successor agency as a drug and reclassified
260 in any schedule of controlled substances or unscheduled by the federal
261 Drug Enforcement Administration or successor agency which is
262 included in the same schedule designated by the federal Drug
263 Enforcement Administration or successor agency; or (E) synthetic
264 cannabinoids which are controlled substances that are designated by the
265 Commissioner of Consumer Protection, by whatever official, common,
266 usual, chemical or trade name designation, as controlled substances and
267 are classified in the appropriate schedule in accordance with
268 subsections (i) and (j) of section 21a-243. [;]

269 [(30)] (31) "Narcotic substance" means any of the following, whether
270 produced directly or indirectly by extraction from a substance of
271 vegetable origin, or independently by means of chemical synthesis, or
272 by a combination of extraction and chemical synthesis: (A) Morphine-
273 type: (i) Opium or opiate, or any salt, compound, derivative, or
274 preparation of opium or opiate which is similar to any such substance

275 in chemical structure or which is similar to any such substance in
276 physiological effect and which shows a like potential for abuse, which
277 is a controlled substance under this chapter unless modified; (ii) any
278 salt, compound, isomer, derivative, or preparation of any such
279 substance which is chemically equivalent or identical to any substance
280 referred to in clause (i) of this subdivision, but not including the
281 isoquinoline alkaloids of opium; (iii) opium poppy or poppy straw; or
282 (iv) (I) fentanyl or any salt, compound, derivative or preparation of
283 fentanyl which is similar to any such substance in chemical structure or
284 which is similar to any such substance in physiological effect and which
285 shows a like potential for abuse, which is a controlled substance under
286 this chapter unless modified, or (II) any salt, compound, isomer,
287 derivative or preparation of any such substance which is chemically
288 equivalent or identical to any substance referred to in subclause (I) of
289 this clause; or (B) cocaine-type; coca leaves or any salt, compound,
290 derivative or preparation of coca leaves, or any salt, compound, isomer,
291 derivatives or preparation of any such substance which is chemically
292 equivalent or identical to any such substance or which is similar to any
293 such substance in physiological effect and which shows a like potential
294 for abuse, but not including decocainized coca leaves or extractions of
295 coca leaves which do not contain cocaine or ecgonine. [;]

296 [(31)] (32) "Nurse" means a person performing nursing as defined in
297 section 20-87a. [;]

298 [(32)] (33) "Official written order" means an order for controlled
299 substances written on a form provided by the bureau for that purpose
300 under the federal Controlled Substances Act. [;]

301 [(33)] (34) "Opiate" means any substance having an addiction-
302 forming or addiction-sustaining liability similar to morphine or being
303 capable of conversion into a drug having addiction-forming or
304 addiction-sustaining liability; it does not include, unless specifically
305 designated as controlled under this chapter, the dextrorotatory isomer
306 of 3-methoxy-n-methylmorphinan and its salts (dextro-methorphan) but
307 shall include its racemic and levorotatory forms. [;]

308 [(34)] (35) "Opium poppy" means the plant of the species papaver
309 somniferum l., except its seed. [;]

310 [(35)] (36) Repealed by P.A. 99-102, S. 51. [;]

311 [(36)] (37) "Other stimulant and depressant drugs" means controlled
312 substances other than amphetamine-type, barbiturate-type, cannabis-
313 type, cocaine-type, hallucinogenics and morphine-type which are found
314 to exert a stimulant and depressant effect upon the higher functions of
315 the central nervous system and which are found to have a potential for
316 abuse and are controlled substances under this chapter. [;]

317 [(37)] (38) "Person" includes any corporation, limited liability
318 company, association or partnership, or one or more individuals,
319 government or governmental subdivisions or agency, business trust,
320 estate, trust, or any other legal entity. Words importing the plural
321 number may include the singular; words importing the masculine
322 gender may be applied to females. [;]

323 [(38)] (39) "Pharmacist" means a person authorized by law to practice
324 pharmacy pursuant to section 20-590, 20-591, 20-592 or 20-593. [;]

325 [(39)] (40) "Pharmacy" means an establishment licensed pursuant to
326 section 20-594. [;]

327 [(40)] (41) "Physician" means a person authorized by law to practice
328 medicine in this state pursuant to section 20-9. [;]

329 [(41)] (42) "Podiatrist" means a person authorized by law to practice
330 podiatry in this state. [;]

331 [(42)] (43) "Poppy straw" means all parts, except the seeds, of the
332 opium poppy, after mowing. [;]

333 [(43)] (44) "Practitioner" means: (A) A physician, dentist, veterinarian,
334 podiatrist, scientific investigator or other person licensed, registered or
335 otherwise permitted to distribute, dispense, conduct research with
336 respect to or to administer a controlled substance in the course of

337 professional practice or research in this state; (B) a pharmacy, hospital
338 or other institution licensed, registered or otherwise permitted to
339 distribute, dispense, conduct research with respect to or to administer a
340 controlled substance in the course of professional practice or research in
341 this state. [;]

342 [(44)] (45) "Prescribe" means order or designate a remedy or any
343 preparation containing controlled substances. [;]

344 [(45)] (46) "Prescription" means a written, oral or electronic order for
345 any controlled substance or preparation from a licensed practitioner to
346 a pharmacist for a patient. [;]

347 [(46)] (47) "Production" includes the manufacture, planting,
348 cultivation, growing or harvesting of a controlled substance. [;]

349 [(47)] (48) "Registrant" means any person licensed by this state and
350 assigned a current federal Bureau of Narcotics and Dangerous Drug
351 Registry Number as provided under the federal Controlled Substances
352 Act. [;]

353 [(48)] (49) "Registry number" means the alphabetical or numerical
354 designation of identification assigned to a person by the federal Drug
355 Enforcement Administration, or other federal agency, which is
356 commonly known as the federal registry number. [;]

357 [(49)] (50) "Restricted drugs or substances" are the following
358 substances without limitation and for all purposes: Datura stramonium;
359 hyoscyamus niger; atropa belladonna, or the alkaloids atropine;
360 hyoscyamine; belladonnine; apatropine; or any mixture of these
361 alkaloids such as daturine, or the synthetic homatropine or any salts of
362 these alkaloids, except that any drug or preparation containing any of
363 the above-mentioned substances which is permitted by federal food and
364 drug laws to be sold or dispensed without a prescription or written
365 order shall not be a controlled substance; amyl nitrite; the following
366 volatile substances to the extent that said chemical substances or
367 compounds containing said chemical substances are sold, prescribed,

368 dispensed, compounded, possessed or controlled or delivered or
369 administered to another person with the purpose that said chemical
370 substances shall be breathed, inhaled, sniffed or drunk to induce a
371 stimulant, depressant or hallucinogenic effect upon the higher functions
372 of the central nervous system: Acetone; benzene; butyl alcohol; butyl
373 nitrate and its salts, isomers, esters, ethers or their salts; cyclohexanone;
374 dichlorodifluoromethane; ether; ethyl acetate; formaldehyde; hexane;
375 isopropanol; methanol; methyl cellosolve acetate; methyl ethyl ketone;
376 methyl isobutyl ketone; nitrous oxide; pentochlorophenol; toluene;
377 toluol; trichloroethane; trichloroethylene; 1,4 butanediol. [;]

378 [(50)] (51) "Sale" is any form of delivery which includes barter,
379 exchange or gift, or offer therefor, and each such transaction made by
380 any person whether as principal, proprietor, agent, servant or employee.
381 [;]

382 [(51)] (52) "State", when applied to a part of the United States,
383 includes any state, district, commonwealth, territory or insular
384 possession thereof, and any area subject to the legal authority of the
385 United States of America. [;]

386 [(52)] (53) "State food, drug and cosmetic laws" means the Uniform
387 Food, Drug and Cosmetic Act, section 21a-91 et seq. [;]

388 [(53)] (54) "Ultimate user" means a person who lawfully possesses a
389 controlled substance for [his] the person's own use or for the use of a
390 member of [his] such person's household or for administering to an
391 animal owned by [him] such person or by a member of [his] such
392 person's household. [;]

393 [(54)] (55) "Veterinarian" means a person authorized by law to
394 practice veterinary medicine in this state. [;]

395 [(55)] (56) "Wholesaler" means a distributor or a person who supplies
396 controlled substances that [he himself] the person personally has not
397 produced or prepared to registrants. [as defined in subdivision (47) of
398 this section;]

399 [(56)] (57) "Reasonable times" means the time or times any office, care-
400 giving institution, pharmacy, clinic, wholesaler, manufacturer,
401 laboratory, warehouse, establishment, store or place of business, vehicle
402 or other place is open for the normal affairs or business or the practice
403 activities usually conducted by the registrant. [;]

404 [(57)] (58) "Unit dose drug distribution system" means a drug
405 distribution system used in a hospital or chronic and convalescent
406 nursing home in which drugs are supplied in individually labeled unit
407 of use packages, each patient's supply of drugs is exchanged between
408 the hospital pharmacy and the drug administration area or, in the case
409 of a chronic and convalescent nursing home between a pharmacy and
410 the drug administration area, at least once each twenty-four hours and
411 each patient's medication supply for this period is stored within a
412 patient-specific container, all of which is conducted under the direction
413 of a pharmacist licensed in Connecticut and, in the case of a hospital,
414 directly involved in the provision and supervision of pharmaceutical
415 services at such hospital at least thirty-five hours each week. [;]

416 [(58)] (59) "Cocaine in a free-base form" means any substance which
417 contains cocaine, or any compound, isomer, derivative or preparation
418 thereof, in a nonsalt form.

419 [(59)] (60) "THC" means tetrahydrocannabinol, including, but not
420 limited to, delta-7, delta-8-tetrahydrocannabinol, delta-9-
421 tetrahydrocannabinol and delta-10-tetrahydrocannabinol, and any
422 material, compound, mixture or preparation which contain their salts,
423 isomers and salts of isomers, whenever the existence of such salts,
424 isomers and salts of isomers is possible within the specific chemical
425 designation, regardless of the source, except: (A) Dronabinol substituted
426 in sesame oil and encapsulated in a soft gelatin capsule in a federal Food
427 and Drug Administration or successor agency approved product, or (B)
428 any tetrahydrocannabinol product that has been approved by the
429 federal Food and Drug Administration or successor agency to have a
430 medical use and reclassified in any schedule of controlled substances or
431 unscheduled by the federal Drug Enforcement Administration or

432 successor agency.

433 [(60)] (61) "Total THC" means the sum of the percentage by weight of
434 tetrahydrocannabinolic acid, multiplied by eight hundred seventy-
435 seven-thousandths, plus the percentage of weight of
436 [tetrahydrocannabinol] THC.

437 [(61)] (62) "Manufactured cannabinoid" means cannabinoids
438 naturally occurring from a source other than marijuana that are similar
439 in chemical structure or physiological effect to cannabinoids derived
440 from marijuana, as defined in section 21a-243, but are derived by a
441 chemical or biological process.

442 [(62)] (63) "Synthetic cannabinoid" means any material, compound,
443 mixture or preparation which contains any quantity of a substance
444 having a psychotropic response primarily by agonist activity at
445 cannabinoid-specific receptors affecting the central nervous system that
446 is produced artificially and not derived from an organic source naturally
447 containing cannabinoids, unless listed in another schedule pursuant to
448 section 21a-243.

449 Sec. 2. Subsection (a) of section 10-19 of the general statutes is
450 repealed and the following is substituted in lieu thereof (*Effective July 1,*
451 *2023*):

452 (a) The knowledge, skills and attitudes required to understand and
453 avoid the effects of alcohol, of nicotine or tobacco and of drugs, as
454 defined in [subdivision (17) of] section 21a-240, as amended by this act,
455 on health, character, citizenship and personality development shall be
456 taught every academic year to pupils in all grades in the public schools;
457 and, in teaching such subjects, textbooks and such other materials as are
458 necessary shall be used. Annually, at such time and in such manner as
459 the Commissioner of Education shall request, each local and regional
460 board of education shall attest to the State Board of Education that all
461 pupils enrolled in its schools have been taught such subjects pursuant
462 to this subsection and in accordance with a planned, ongoing and
463 systematic program of instruction. The content and scheduling of

464 instruction shall be within the discretion of the local or regional board
465 of education. Institutions of higher education approved by the State
466 Board of Education to train teachers shall give instruction on the
467 subjects prescribed in this section and concerning the best methods of
468 teaching the same. The State Board of Education and the Board of
469 Regents for Higher Education in consultation with the Commissioner of
470 Mental Health and Addiction Services and the Commissioner of Public
471 Health shall develop health education or other programs for elementary
472 and secondary schools and for the training of teachers, administrators
473 and guidance personnel with reference to understanding and avoiding
474 the effects of nicotine or tobacco, alcohol and drugs.

475 Sec. 3. Subsection (a) of section 10-220a of the general statutes is
476 repealed and the following is substituted in lieu thereof (*Effective July 1,*
477 *2023*):

478 (a) Each local or regional board of education shall provide an in-
479 service training program for its teachers, administrators and pupil
480 personnel who hold the initial educator, provisional educator or
481 professional educator certificate. Such program shall provide such
482 teachers, administrators and pupil personnel with information on (1)
483 the nature and the relationship of alcohol and drugs, as defined in
484 [subdivision (17) of] section 21a-240, as amended by this act, to health
485 and personality development, and procedures for discouraging their
486 abuse, (2) health and mental health risk reduction education that
487 includes, but need not be limited to, the prevention of risk-taking
488 behavior by children and the relationship of such behavior to substance
489 abuse, pregnancy, sexually transmitted diseases, including HIV-
490 infection and AIDS, as defined in section 19a-581, violence, teen dating
491 violence, domestic violence and child abuse, (3) school violence
492 prevention, conflict resolution, the prevention of and response to youth
493 suicide and the identification and prevention of and response to
494 bullying, as defined in subsection (a) of section 10-222d, except that
495 those boards of education that implement any evidence-based model
496 approach that is approved by the Department of Education and is
497 consistent with subsection (c) of section 10-145a, sections 10-222d, 10-

498 222g and 10-222h, subsection (g) of section 10-233c and sections 1 and 3
499 of public act 08-160, shall not be required to provide in-service training
500 on the identification and prevention of and response to bullying, (4)
501 cardiopulmonary resuscitation and other emergency life saving
502 procedures, (5) the requirements and obligations of a mandated
503 reporter, (6) the detection and recognition of, and evidence-based
504 structured literacy interventions for, students with dyslexia, as defined
505 in section 10-3d, (7) culturally responsive pedagogy and practice,
506 including, but not limited to, the video training module relating to
507 implicit bias and anti-bias in the hiring process in accordance with the
508 provisions of section 10-156hh, and (8) the principles and practices of
509 social-emotional learning and restorative practices. Each local or
510 regional board of education may allow any paraprofessional or
511 noncertified employee to participate, on a voluntary basis, in any in-
512 service training program provided pursuant to this section.

513 Sec. 4. Subsection (e) of section 10-221 of the general statutes is
514 repealed and the following is substituted in lieu thereof (*Effective July 1,*
515 *2023*):

516 (e) Each local and regional board of education shall develop, adopt
517 and implement policies and procedures in conformity with section 10-
518 154a for (1) dealing with the use, sale or possession of alcohol or
519 controlled drugs, as defined in [subdivision (8) of] section 21a-240, as
520 amended by this act, by public school students on school property,
521 including a process for coordination with, and referral of such students
522 to, appropriate agencies, and (2) cooperating with law enforcement
523 officials. On and after January 1, 2022, no such policies and procedures
524 shall result in a student facing greater discipline, punishment or
525 sanction for use, sale or possession of cannabis than a student would
526 face for the use, sale or possession of alcohol.

527 Sec. 5. Subsections (a) to (e), inclusive, of section 10-233d of the
528 general statutes are repealed and the following is substituted in lieu
529 thereof (*Effective July 1, 2023*):

530 (a) (1) Any local or regional board of education, at a meeting at which
531 three or more members of such board are present, or the impartial
532 hearing board established pursuant to subsection (b) of this section, may
533 expel, subject to the provisions of this subsection, any pupil in grades
534 three to twelve, inclusive, whose conduct on school grounds or at a
535 school-sponsored activity is violative of a publicized policy of such
536 board and is seriously disruptive of the educational process or
537 endangers persons or property or whose conduct off school grounds is
538 violative of such policy and is seriously disruptive of the educational
539 process, provided a majority of the board members sitting in the
540 expulsion hearing vote to expel and that at least three affirmative votes
541 for expulsion are cast. In making a determination as to whether conduct
542 is seriously disruptive of the educational process, the board of education
543 or impartial hearing board may consider, but such consideration shall
544 not be limited to: (A) Whether the incident occurred within close
545 proximity of a school; (B) whether other students from the school were
546 involved or whether there was any gang involvement; (C) whether the
547 conduct involved violence, threats of violence or the unlawful use of a
548 weapon, as defined in section 29-38, and whether any injuries occurred;
549 and (D) whether the conduct involved the use of alcohol.

550 (2) Expulsion proceedings pursuant to this section, except as
551 provided in subsection (i) of this section, shall be required for any pupil
552 in grades kindergarten to twelve, inclusive, whenever there is reason to
553 believe that any pupil (A) on school grounds or at a school-sponsored
554 activity, was in possession of a firearm, as defined in 18 USC 921, as
555 amended from time to time, or deadly weapon, dangerous instrument
556 or martial arts weapon, as defined in section 53a-3, (B) off school
557 grounds, did possess such a firearm in violation of section 29-35 or did
558 possess and use such a firearm, instrument or weapon in the
559 commission of a crime under chapter 952, or (C) on or off school
560 grounds, offered for sale or distribution a controlled substance, as
561 defined in [subdivision (9) of] section 21a-240, as amended by this act,
562 whose manufacture, distribution, sale, prescription, dispensing,
563 transporting or possessing with intent to sell or dispense, offering, or

564 administering is subject to criminal penalties under sections 21a-277 and
565 21a-278. Such a pupil shall be expelled for one calendar year if the local
566 or regional board of education or impartial hearing board finds that the
567 pupil did so possess or so possess and use, as appropriate, such a
568 firearm, instrument or weapon or did so offer for sale or distribution
569 such a controlled substance, provided the board of education or the
570 hearing board may modify the period of expulsion for a pupil on a case-
571 by-case basis, and as provided for in subdivision (2) of subsection (c) of
572 this section.

573 (3) Unless an emergency exists, no pupil shall be expelled without a
574 formal hearing held pursuant to sections 4-176e to 4-180a, inclusive, and
575 section 4-181a, provided whenever such pupil is a minor, the notice
576 required by section 4-177 and section 4-180 shall also be given to the
577 parents or guardian of the pupil at least five business days before such
578 hearing. If an emergency exists, such hearing shall be held as soon after
579 the expulsion as possible. The notice shall include information
580 concerning the parent's or guardian's and the pupil's legal rights and
581 concerning legal services provided free of charge or at a reduced rate
582 that are available locally and how to access such services. An attorney
583 or other advocate may represent any pupil subject to expulsion
584 proceedings. The parent or guardian of the pupil shall have the right to
585 have the expulsion hearing postponed for up to one week to allow time
586 to obtain representation, except that if an emergency exists, such hearing
587 shall be held as soon after the expulsion as possible.

588 (b) For purposes of conducting expulsion hearings as required by
589 subsection (a) of this section, any local or regional board of education or
590 any two or more of such boards in cooperation may establish an
591 impartial hearing board of one or more persons. No member of any such
592 board or boards shall be a member of the hearing board. The hearing
593 board shall have the authority to conduct the expulsion hearing and
594 render a final decision in accordance with the provisions of sections 4-
595 176e to 4-180a, inclusive, and section 4-181a.

596 (c) (1) In determining the length of an expulsion and the nature of the

597 alternative educational opportunity to be offered under subsection (d)
598 of this section, the local or regional board of education, or the impartial
599 hearing board established pursuant to subsection (b) of this section, may
600 receive and consider evidence of past disciplinary problems that have
601 led to removal from a classroom, suspension or expulsion of such pupil.

602 (2) For any pupil expelled for the first time pursuant to this section
603 and who has never been suspended pursuant to section 10-233c, except
604 for a pupil who has been expelled based on possession of a firearm or
605 deadly weapon as described in subsection (a) of this section, the local or
606 regional board of education may shorten the length of or waive the
607 expulsion period if the pupil successfully completes a board-specified
608 program and meets any other conditions required by the board. Such
609 board-specified program shall not require the pupil or the parent or
610 guardian of the pupil to pay for participation in the program.

611 (d) No local or regional board of education is required to offer an
612 alternative educational opportunity, except in accordance with this
613 section. Any pupil under sixteen years of age who is expelled shall be
614 offered an alternative educational opportunity, which shall be (1)
615 alternative education, as defined by section 10-74j, with an
616 individualized learning plan, if such board provides such alternative
617 education, or (2) in accordance with the standards adopted by the State
618 Board of Education, pursuant to section 10-233o, during the period of
619 expulsion, provided any parent or guardian of such pupil who does not
620 choose to have [his or her] such parent's or guardian's child enrolled in
621 an alternative educational opportunity shall not be subject to the
622 provisions of section 10-184. Any pupil expelled for the first time who
623 is between the ages of sixteen and eighteen and who wishes to continue
624 [his or her] such pupil's education shall be offered such an alternative
625 educational opportunity if [he or she] such pupil complies with
626 conditions established by [his or her] such pupil's local or regional board
627 of education. Such alternative educational opportunity may include, but
628 shall not be limited to, the placement of a pupil who is at least seventeen
629 years of age in an adult education program pursuant to section 10-69.
630 Any pupil participating in any such adult education program during a

631 period of expulsion shall not be required to withdraw from school under
632 section 10-184. A local or regional board of education shall count the
633 expulsion of a pupil when [he] the pupil was under sixteen years of age
634 for purposes of determining whether an alternative educational
635 opportunity is required for such pupil when [he] such pupil is between
636 the ages of sixteen and eighteen. A local or regional board of education
637 may offer an alternative educational opportunity to a pupil for whom
638 such alternative educational opportunity is not required pursuant to
639 this section.

640 (e) If a pupil is expelled pursuant to this section for possession of a
641 firearm, as defined in 18 USC 921, as amended from time to time, or
642 deadly weapon, dangerous instrument or martial arts weapon, as
643 defined in section 53a-3, the board of education shall report the violation
644 to the local police department or in the case of a student enrolled in a
645 technical education and career school to the state police. If a pupil is
646 expelled pursuant to this section for the sale or distribution of a
647 controlled substance, as defined in [subdivision (9) of] section 21a-240,
648 as amended by this act, whose manufacture, distribution, sale,
649 prescription, dispensing, transporting or possessing with the intent to
650 sell or dispense, offering, or administration is subject to criminal
651 penalties under sections 21a-277 and 21a-278, the board of education
652 shall refer the pupil to an appropriate state or local agency for
653 rehabilitation, intervention or job training, or any combination thereof,
654 and inform the agency of its action.

655 Sec. 6. Section 10a-18 of the general statutes is repealed and the
656 following is substituted in lieu thereof (*Effective July 1, 2023*):

657 On and after September 1, 1974, all state institutions of higher
658 education shall offer a program of information concerning drugs, as
659 defined in [subdivision (17) of] section 21a-240, as amended by this act,
660 and alcohol and instruction in the use and the relationships of such
661 drugs and alcohol to health and personality development, and in
662 procedures for discouraging their abuse, which programs shall be
663 coordinated with those developed under section 10-19, as amended by

664 this act.

665 Sec. 7. Subdivision (4) of subsection (a) of section 10a-55c of the
666 general statutes is repealed and the following is substituted in lieu
667 thereof (*Effective July 1, 2023*):

668 (4) A statement of policy regarding the possession, use and sale of
669 alcoholic beverages and controlled substances, as defined in
670 [subdivision (9) of] section 21a-240, as amended by this act;

671 Sec. 8. Subsection (b) of section 20-34 of the general statutes is
672 repealed and the following is substituted in lieu thereof (*Effective July 1,*
673 *2023*):

674 (b) For purposes of subsection (a) of this section, "natural substances"
675 means substances that are not narcotic substances, as defined in
676 [subdivision (30) of] section 21a-240, as amended by this act, do not
677 require the written or oral prescription of a licensed practitioner to be
678 dispensed and are only administered orally.

679 Sec. 9. Section 21a-245 of the general statutes is repealed and the
680 following is substituted in lieu thereof (*Effective July 1, 2023*):

681 No person shall manufacture, possess, have under his control, sell,
682 prescribe, dispense, compound, process, deliver or administer to
683 another person any restricted substance, except as authorized in this
684 chapter and section 10-212a, except that no vendor of the volatile
685 substances enumerated in subdivision [(49)] (50) of section 21a-240, as
686 amended by this act, shall be deemed to have violated the provisions of
687 this chapter insofar as sale, dispensing or delivering of one or more of
688 said volatile substances or compounds containing said chemical
689 substances is concerned, unless he knew or should have known of the
690 improper purpose to which such substance was to be put. Insofar as
691 substances containing said substances are possessed, sold, dispensed,
692 compounded or delivered for licit purposes, i.e., other than to produce
693 a stimulant, depressant or hallucinogenic effect upon the higher
694 functions of the central nervous system by breathing, inhaling, sniffing

695 or drinking, such substances are expressly not restricted and neither the
696 regulatory provisions, including but not limited to record keeping,
697 licensing and the writing of prescriptions nor the criminal sanctions and
698 proscriptions of this chapter shall apply.

699 Sec. 10. Subsection (a) of section 21a-248 of the general statutes is
700 repealed and the following is substituted in lieu thereof (*Effective July 1,*
701 *2023*):

702 (a) A licensed manufacturer or wholesaler may sell and dispense
703 controlled drugs to any of the following-named persons, but in the case
704 of schedule II drugs only on an official written order or electronically
705 through the Drug Enforcement Agency's Controlled Substance
706 Ordering System: (1) To a manufacturer, wholesaler or pharmacist; (2)
707 to a physician, dentist or veterinarian; (3) to a person in charge of a
708 hospital, incorporated college or scientific institution, but only for use
709 by or in that hospital, incorporated college or scientific institution for
710 medical or scientific purposes; (4) to a person in charge of a laboratory,
711 but only for use in that laboratory for scientific and medical purposes;
712 and (5) to any registrant as defined in [subdivision (47) of] section 21a-
713 240, as amended by this act.

714 Sec. 11. Subsection (a) of section 21a-267 of the general statutes is
715 repealed and the following is substituted in lieu thereof (*Effective July 1,*
716 *2023*):

717 (a) No person shall use or possess with intent to use drug
718 paraphernalia, as defined in subdivision (20) of section 21a-240, as
719 amended by this act, to plant, propagate, cultivate, grow, harvest,
720 manufacture, compound, convert, produce, process, prepare, test,
721 analyze, pack, repack, store, contain or conceal, or to ingest, inhale or
722 otherwise introduce into the human body, any controlled substance, as
723 defined in [subdivision (9) of] section 21a-240, as amended by this act,
724 other than cannabis. Any person who violates any provision of this
725 subsection shall be guilty of a class C misdemeanor.

726 Sec. 12. Subsection (c) of section 21a-279 of the general statutes is

727 repealed and the following is substituted in lieu thereof (*Effective July 1,*
728 *2023*):

729 (c) To the extent that it is possible, medical treatment rather than
730 criminal sanctions shall be afforded individuals who breathe, inhale,
731 sniff or drink the volatile substances described in subdivision [(49)] (50)
732 of section 21a-240, as amended by this act.

733 Sec. 13. Section 21a-281 of the general statutes is repealed and the
734 following is substituted in lieu thereof (*Effective July 1, 2023*):

735 One who is found to have inhaled or to be under the influence of one
736 or more of the volatile substances enumerated in subdivision [(49)] (50)
737 of section 21a-240, as amended by this act, shall be presumed to be
738 psychologically dependent upon such volatile substance or substances.

739 Sec. 14. Section 21a-408 of the general statutes is repealed and the
740 following is substituted in lieu thereof (*Effective July 1, 2023*):

741 As used in this section, sections 21a-408a to 21a-408o, inclusive, and
742 sections 21a-408r to 21a-408v, inclusive, as amended by this act, unless
743 the context otherwise requires:

744 (1) "Advanced practice registered nurse" means an advanced practice
745 registered nurse licensed pursuant to chapter 378;

746 (2) "Cannabis establishment" has the same meaning as provided in
747 section 21a-420, as amended by this act;

748 (3) "Cannabis testing laboratory" means a person who (A) is located
749 in this state, (B) is licensed by the department to analyze marijuana, and
750 (C) meets the licensure requirements established in section 21a-408r, as
751 amended by this act, and the regulations adopted pursuant to
752 subsection (d) of section 21a-408r, as amended by this act;

753 (4) "Cannabis testing laboratory employee" means a person who is
754 (A) employed at a cannabis testing laboratory, and (B) registered
755 pursuant to section 21a-408r, as amended by this act, and the regulations

756 adopted pursuant to subsection (d) of section 21a-408r, as amended by
757 this act;

758 (5) "Caregiver" means a person, other than the qualifying patient and
759 the qualifying patient's physician, physician assistant or advanced
760 practice registered nurse, who is eighteen years of age or older and has
761 agreed to undertake responsibility for managing the well-being of the
762 qualifying patient with respect to the palliative use of marijuana,
763 provided (A) in the case of a qualifying patient (i) under eighteen years
764 of age and not an emancipated minor, or (ii) otherwise lacking legal
765 capacity, such person shall be a parent, guardian or person having legal
766 custody of such qualifying patient, and (B) in the case of a qualifying
767 patient eighteen years of age or older or an emancipated minor, the need
768 for such person shall be evaluated by the qualifying patient's physician,
769 physician assistant or advanced practice registered nurse and such need
770 shall be documented in the written certification;

771 [(3)] (6) "Cultivation" includes planting, propagating, cultivating,
772 growing and harvesting;

773 [(4)] (7) "Debilitating medical condition" means (A) cancer, glaucoma,
774 positive status for human immunodeficiency virus or acquired immune
775 deficiency syndrome, Parkinson's disease, multiple sclerosis, damage to
776 the nervous tissue of the spinal cord with objective neurological
777 indication of intractable spasticity, epilepsy or uncontrolled intractable
778 seizure disorder, cachexia, wasting syndrome, Crohn's disease,
779 posttraumatic stress disorder, irreversible spinal cord injury with
780 objective neurological indication of intractable spasticity, cerebral palsy,
781 cystic fibrosis or terminal illness requiring end-of-life care, except, if the
782 qualifying patient is under eighteen years of age, "debilitating medical
783 condition" means terminal illness requiring end-of-life care, irreversible
784 spinal cord injury with objective neurological indication of intractable
785 spasticity, cerebral palsy, cystic fibrosis, severe epilepsy or uncontrolled
786 intractable seizure disorder, or (B) any medical condition, medical
787 treatment or disease approved for qualifying patients by the
788 Department of Consumer Protection and posted online pursuant to

789 section 21a-408l;

790 [(5)] (8) "Dispensary facility" means a place of business where
791 marijuana may be dispensed, sold or distributed in accordance with this
792 chapter and any regulations adopted thereunder to qualifying patients
793 and caregivers and for which the department has issued a dispensary
794 facility license pursuant to this chapter;

795 [(6)] (9) "Employee" has the same meaning as provided in section 21a-
796 420, as amended by this act;

797 [(7)] (10) "Institutional animal care and use committee" means a
798 committee that oversees an organization's animal program, facilities
799 and procedures to ensure compliance with federal policies, guidelines
800 and principles related to the care and use of animals in research;

801 [(8)] (11) "Institutional review board" means a specifically constituted
802 review body established or designated by an organization to protect the
803 rights and welfare of persons recruited to participate in biomedical,
804 behavioral or social science research;

805 [(9) "Laboratory" means a laboratory located in the state that is
806 licensed by the department to provide analysis of marijuana and that
807 meets the licensure requirements set forth in section 21a-246;

808 (10) "Laboratory employee" means a person who is registered as a
809 laboratory employee pursuant to section 21a-408r;]

810 [(11)] (12) "Licensed dispensary" or "dispensary" means an individual
811 who is a licensed pharmacist employed by a dispensary facility or
812 hybrid retailer;

813 [(12) "Producer" means a person who is licensed as a producer
814 pursuant to section 21a-408i;]

815 (13) "Marijuana" means marijuana, as defined in section 21a-240, as
816 amended by this act;

817 (14) "Nurse" means a person who is licensed as a nurse under chapter
818 378;

819 (15) "Palliative use" means the acquisition, distribution, transfer,
820 possession, use or transportation of marijuana or paraphernalia relating
821 to marijuana, including the transfer of marijuana and paraphernalia
822 relating to marijuana from the patient's caregiver to the qualifying
823 patient, to alleviate a qualifying patient's symptoms of a debilitating
824 medical condition or the effects of such symptoms, but does not include
825 any such use of marijuana by any person other than the qualifying
826 patient;

827 (16) "Paraphernalia" means drug paraphernalia, as defined in section
828 21a-240, as amended by this act;

829 (17) "Physician" means a person who is licensed as a physician under
830 chapter 370;

831 (18) "Physician assistant" means a person who is licensed as a
832 physician assistant under chapter 370;

833 [(19) "Caregiver" means a person, other than the qualifying patient
834 and the qualifying patient's physician, physician assistant or advanced
835 practice registered nurse, who is eighteen years of age or older and has
836 agreed to undertake responsibility for managing the well-being of the
837 qualifying patient with respect to the palliative use of marijuana,
838 provided (A) in the case of a qualifying patient (i) under eighteen years
839 of age and not an emancipated minor, or (ii) otherwise lacking legal
840 capacity, such person shall be a parent, guardian or person having legal
841 custody of such qualifying patient, and (B) in the case of a qualifying
842 patient eighteen years of age or older or an emancipated minor, the need
843 for such person shall be evaluated by the qualifying patient's physician,
844 physician assistant or advanced practice registered nurse and such need
845 shall be documented in the written certification;]

846 (19) "Producer" means a person who is licensed as a producer
847 pursuant to section 21a-408i;

848 (20) "Qualifying patient" means a person who: (A) Is a resident of
849 Connecticut, (B) has been diagnosed by a physician, physician assistant
850 or advanced practice registered nurse as having a debilitating medical
851 condition, and (C) (i) is eighteen years of age or older, (ii) is an
852 emancipated minor, or (iii) has written consent from a custodial parent,
853 guardian or other person having legal custody of such person that
854 indicates that such person has permission from such parent, guardian
855 or other person for the palliative use of marijuana for a debilitating
856 medical condition and that such parent, guardian or other person will
857 (I) serve as a caregiver for the qualifying patient, and (II) control the
858 acquisition and possession of marijuana and any related paraphernalia
859 for palliative use on behalf of such person. "Qualifying patient" does not
860 include an inmate confined in a correctional institution or facility under
861 the supervision of the Department of Correction;

862 (21) "Research program" means a study approved by the Department
863 of Consumer Protection in accordance with this chapter and undertaken
864 to increase information or knowledge regarding the growth or
865 processing of marijuana, or the medical attributes, dosage forms,
866 administration or use of marijuana to treat or alleviate symptoms of any
867 medical conditions or the effects of such symptoms;

868 (22) "Research program employee" means a person who (A) is
869 registered as a research program employee under section 21a-408t, or
870 (B) holds a temporary certificate of registration issued pursuant to
871 section 21a-408t;

872 (23) "Research program subject" means a person registered as a
873 research program subject pursuant to section 21a-408v;

874 (24) "Usable marijuana" means the dried leaves and flowers of the
875 marijuana plant, and any mixtures or preparations of such leaves and
876 flowers, that are appropriate for the palliative use of marijuana, but does
877 not include the seeds, stalks and roots of the marijuana plant; and

878 (25) "Written certification" means a written certification issued by a
879 physician, physician assistant or advanced practice registered nurse

880 pursuant to section 21a-408c.

881 Sec. 15. Subsection (a) of section 21a-408b of the general statutes is
882 repealed and the following is substituted in lieu thereof (*Effective July 1,*
883 *2023*):

884 (a) No person may serve as a caregiver for a qualifying patient [(1)]
885 unless such qualifying patient has a valid registration certificate from
886 the Department of Consumer Protection pursuant to subsection (a) of
887 section 21a-408d. [, and (2) if such person has been convicted of a
888 violation of any law pertaining to the illegal manufacture, sale or
889 distribution of a controlled substance.] A caregiver may not be
890 responsible for the care of more than one qualifying patient at any time,
891 except that a caregiver may be responsible for the care of more than one
892 qualifying patient if the caregiver and each qualifying patient have a
893 parental, grandparental, guardianship, conservatorship, spousal or
894 sibling relationship.

895 Sec. 16. Section 21a-408h of the general statutes is repealed and the
896 following is substituted in lieu thereof (*Effective July 1, 2023*):

897 (a) No person may act as a dispensary or represent that such person
898 is a licensed dispensary unless such person has obtained a license from
899 the Commissioner of Consumer Protection pursuant to this section.

900 (b) No person may act as a dispensary facility or represent that such
901 person is a licensed dispensary facility unless such person has obtained
902 a license from the Commissioner of Consumer Protection pursuant to
903 this section.

904 (c) The Commissioner of Consumer Protection shall determine the
905 number of dispensary facilities appropriate to meet the needs of
906 qualifying patients in this state and shall adopt regulations, in
907 accordance with chapter 54, to provide for the licensure and standards
908 for dispensary facilities in this state and specify the maximum number
909 of dispensary facilities that may be licensed in this state. On and after
910 the effective date of such regulations, the commissioner may license any

911 person who applies for a license in accordance with such regulations,
912 provided the commissioner deems such applicant qualified to acquire,
913 possess, distribute and dispense marijuana pursuant to sections 21a-408
914 to 21a-408m, inclusive, as amended by this act. At a minimum, such
915 regulations shall:

916 (1) Indicate the maximum number of dispensary facilities that may
917 be licensed in this state;

918 (2) Provide that no marijuana may be dispensed from, obtained from
919 or transferred to a location outside of this state;

920 [(3) Establish a licensing fee and renewal fee for each dispensary
921 facility, provided such fees shall not be less than the amount necessary
922 to cover the direct and indirect cost of licensing and regulating
923 dispensary facilities pursuant to sections 21a-408 to 21a-408m,
924 inclusive;]

925 [(4)] (3) Provide for renewal of [such] dispensary facility licenses at
926 least every two years;

927 [(5)] (4) Describe areas in this state where dispensary facilities may
928 not be located, after considering the criteria for the location of retail
929 liquor permit premises set forth in subsection (a) of section 30-46;

930 [(6)] (5) Establish health, safety and security requirements for
931 dispensary facilities, which may include, but need not be limited to: (A)
932 The ability to maintain adequate control against the diversion, theft and
933 loss of marijuana acquired or possessed by the dispensary facility, and
934 (B) the ability to maintain the knowledge, understanding, judgment,
935 procedures, security controls and ethics to ensure optimal safety and
936 accuracy in the distributing, dispensing and use of palliative marijuana;

937 [(7)] (6) Establish standards and procedures for revocation,
938 suspension, summary suspension and nonrenewal of dispensary facility
939 licenses, provided such standards and procedures are consistent with
940 the provisions of subsection (c) of section 4-182; and

941 ~~[(8)]~~ (7) Establish other licensing, renewal and operational standards
942 deemed necessary by the commissioner.

943 ~~[(d)]~~ Any fees collected by the Department of Consumer Protection
944 under this section shall be paid to the State Treasurer and credited to the
945 General Fund.]

946 ~~[(e)]~~ (d) On or before January 1, 2017, and annually thereafter, each
947 dispensary facility shall report data to the Department of Consumer
948 Protection relating to the types, mixtures and dosages of palliative
949 marijuana dispensed by such dispensary facility. A report prepared
950 pursuant to this subsection shall be in such form as may be prescribed
951 by the Commissioner of Consumer Protection.

952 Sec. 17. Subsection (a) of section 21a-408j of the general statutes is
953 repealed and the following is substituted in lieu thereof (*Effective July 1,*
954 *2023*):

955 (a) No dispensary facility or employee of the dispensary facility may:
956 (1) Acquire marijuana from a person other than a producer from a
957 cultivator, micro-cultivator, product manufacturer, food and beverage
958 manufacturer, product packager, or transporter, as such terms are
959 defined in section 21a-420, as amended by this act; (2) transfer or
960 transport marijuana to a person who is not (A) a qualifying patient
961 registered under section 21a-408d; (B) a caregiver of such qualifying
962 patient; (C) a hospice or other inpatient care facility licensed by the
963 Department of Public Health pursuant to chapter 368v that has a
964 protocol for the handling and distribution of marijuana that has been
965 approved by the Department of Consumer Protection; (D) a cannabis
966 testing laboratory; (E) an organization engaged in a research program;
967 (F) a delivery service, as defined in section 21a-420, as amended by this
968 act; or (G) a transporter, as defined in section 21a-420, as amended by
969 this act; or (3) obtain or transport marijuana outside of this state in
970 violation of state or federal law.

971 Sec. 18. Section 21a-408k of the general statutes is repealed and the
972 following is substituted in lieu thereof (*Effective July 1, 2023*):

973 (a) No producer or employee of the producer may: (1) Sell, deliver,
974 transport or distribute marijuana to a person who is not (A) a cannabis
975 establishment, (B) a cannabis testing laboratory, or (C) an organization
976 engaged in a research program, or (2) obtain or transport marijuana
977 outside of this state in violation of state or federal law.

978 (b) No licensed producer or employee of the producer acting within
979 the scope of [his or her] such employee's employment shall be subject to
980 arrest or prosecution or penalized in any manner, including, but not
981 limited to, being subject to any civil penalty, or denied any right or
982 privilege, including, but not limited to, being subject to any disciplinary
983 action by a professional licensing board, for cultivating marijuana or
984 selling, delivering, transferring, transporting or distributing marijuana
985 to a cannabis establishment, cannabis testing laboratory or research
986 program.

987 Sec. 19. Subsections (a) to (d), inclusive, of section 21a-408r of the
988 general statutes are repealed and the following is substituted in lieu
989 thereof (*Effective July 1, 2023*):

990 (a) No person may act as a cannabis testing laboratory or represent
991 that such person is a cannabis testing laboratory unless such person has
992 (1) obtained a license from the Commissioner of Consumer Protection
993 pursuant to this section, or (2) [(A) been granted approval by the
994 Commissioner of Consumer Protection as of October 1, 2021, and (B)
995 submitted an application to the Commissioner of Consumer Protection
996 for licensure pursuant to this section in a form and manner prescribed
997 by the commissioner. Such person may continue to act as a laboratory
998 until such application for licensure under this section is approved or
999 denied by the Commissioner of Consumer Protection] obtained a license
1000 from the Department of Consumer Protection on or before June 30, 2023,
1001 as a laboratory authorized to engage in cannabis testing and such license
1002 remains active on July 1, 2023. Any person that satisfies the criteria
1003 established in subdivision (2) of this subsection shall be deemed to be a
1004 licensed cannabis testing laboratory for the duration of such prior
1005 license and, upon expiration of such prior license, such person shall be

1006 eligible to renew such expired prior license as a cannabis testing
1007 laboratory license. The fee to receive a provisional license as a cannabis
1008 testing laboratory shall be five hundred dollars, and the fee to receive a
1009 final license, or renewal of a final license, as a cannabis testing laboratory
1010 shall be one thousand dollars.

1011 (b) Except as provided in subsection (c) of this section, no person may
1012 act as a cannabis testing laboratory employee or represent that such
1013 person is a cannabis testing laboratory employee unless such person has
1014 obtained a registration from the Commissioner of Consumer Protection
1015 pursuant to this section. Any person to whom the Department of
1016 Consumer Protection has issued laboratory employee credentials on or
1017 before June 30, 2023, shall, if such credentials remain active on July 1,
1018 2023, and authorize such person to handle and test cannabis, be deemed
1019 to be a registered cannabis testing laboratory employee for the duration
1020 of such prior credentials and, upon expiration of such prior credentials,
1021 be eligible to renew such expired prior credentials in the manner set
1022 forth for renewing a certificate of registration as a cannabis testing
1023 laboratory employee.

1024 (c) Prior to the effective date of regulations adopted under this
1025 section, the Commissioner of Consumer Protection may issue a
1026 temporary certificate of registration to a cannabis testing laboratory
1027 employee. The commissioner shall prescribe the standards, procedures
1028 and fees for obtaining a temporary certificate of registration as a
1029 cannabis testing laboratory employee.

1030 (d) The Commissioner of Consumer Protection shall adopt
1031 regulations, in accordance with chapter 54, to (1) provide for the
1032 licensure or registration of cannabis testing laboratories and cannabis
1033 testing laboratory employees, (2) establish standards and procedures for
1034 the revocation, suspension, summary suspension and nonrenewal of
1035 cannabis testing laboratory licenses and cannabis testing laboratory
1036 employee registrations, provided such standards and procedures are
1037 consistent with the provisions of subsection (c) of section 4-182, (3)
1038 establish a [license or] registration renewal fee for each [licensed

1039 laboratory and] registered cannabis testing laboratory employee,
1040 provided the aggregate amount of such [license, registration and
1041 renewal] fees shall not be less than the amount necessary to cover the
1042 direct and indirect cost of [licensing,] registering and regulating
1043 [laboratories and] cannabis testing laboratory employees in accordance
1044 with the provisions of this chapter, (4) establish procedures by which
1045 cannabis testing laboratories shall accept marijuana samples from
1046 caregivers, qualifying patients and consumers for testing, and [(4)] (5)
1047 establish other licensing, registration, renewal and operational
1048 standards deemed necessary by the commissioner. For the purposes of
1049 this subsection, "consumer" has the same meaning as provided in
1050 section 21a-420, as amended by this act.

1051 Sec. 20. Section 21a-408s of the general statutes is repealed and the
1052 following is substituted in lieu thereof (*Effective July 1, 2023*):

1053 (a) No cannabis testing laboratory or cannabis testing laboratory
1054 employee may (1) acquire marijuana from a person other than (A) a
1055 cannabis establishment or an organization engaged in a research
1056 program, or (B) a caregiver, a qualifying patient or a consumer, as
1057 defined in section 21a-420, as amended by this act, providing a
1058 marijuana sample under regulations adopted by the Commissioner of
1059 Consumer Protection pursuant to subsection (d) of section 21a-408r, as
1060 amended by this act, (2) deliver, transport or distribute marijuana to (A)
1061 a person who is not a cannabis establishment from which the marijuana
1062 was originally acquired by the cannabis testing laboratory or cannabis
1063 testing laboratory employee, or (B) an organization not engaged in a
1064 research program, or (3) obtain or transport marijuana outside of this
1065 state in violation of state or federal law.

1066 (b) (1) No cannabis testing laboratory employee acting within the
1067 scope of [his or her] such cannabis testing laboratory employee's
1068 employment shall be subject to arrest or prosecution, penalized in any
1069 manner, including, but not limited to, being subject to any civil penalty,
1070 or denied any right or privilege, including, but not limited to, being
1071 subject to any disciplinary action by a professional licensing board, for

1072 acquiring, possessing, delivering, transporting or distributing
1073 marijuana to a cannabis establishment or an organization engaged in an
1074 approved research program under the provisions of this chapter.

1075 (2) No cannabis testing laboratory shall be subject to prosecution,
1076 penalized in any manner, including, but not limited to, being subject to
1077 any civil penalty or denied any right or privilege, for acquiring,
1078 possessing, delivering, transporting or distributing marijuana to a
1079 cannabis establishment or an organization engaged in an approved
1080 research program under the provisions of this chapter.

1081 (c) A cannabis testing laboratory shall be independent from all other
1082 persons involved in the marijuana industry in Connecticut, which shall
1083 mean that no person with a direct or indirect financial, managerial or
1084 controlling interest in the cannabis testing laboratory shall have a direct
1085 or indirect financial, managerial or controlling interest in a cannabis
1086 establishment or any other entity that may benefit from the laboratory
1087 test results for a cannabis or marijuana sample or product.

1088 (d) [A] (1) Except as provided in subdivision (2) of this subsection, a
1089 cannabis testing laboratory shall maintain all minimum security and
1090 safeguard requirements for the storage of handling of controlled
1091 substances as a laboratory that is licensed to provide analysis of
1092 controlled substances pursuant to section 21a-246 and any regulations
1093 adopted thereunder.

1094 (2) The department may waive any minimum security or safeguard
1095 requirement described in subdivision (1) of this subsection if (A) a
1096 cannabis testing laboratory submits to the department, in a form and
1097 manner prescribed by the department, a written request for such waiver
1098 that proposes an alternative requirement that provides public health
1099 and safety protections that are equal to or greater than the protections
1100 provided by such minimum security or safeguard requirement, and (B)
1101 the department (i) reviews such request to assess the potential for
1102 product diversion, theft and criminal activity under such proposed
1103 alternative requirement and the likely impact that waiving such

1104 minimum security or safeguard requirement will have on public health
1105 and safety, (ii) determines, in the department's discretion, that such
1106 proposed alternative requirement would provide equal or greater
1107 protection for public health and safety, and (iii) issues such waiver in
1108 writing.

1109 Sec. 21. Section 21a-408u of the general statutes is repealed and the
1110 following is substituted in lieu thereof (*Effective July 1, 2023*):

1111 (a) No research program or research program employee may (1)
1112 acquire marijuana from a person other than a cannabis establishment or
1113 cannabis testing laboratory, (2) deliver, transport or distribute
1114 marijuana to a person who is not (A) a cannabis establishment, (B) a
1115 cannabis testing laboratory, or (C) a research program subject, (3)
1116 distribute or administer marijuana to an animal unless such animal is an
1117 animal research subject, or (4) obtain or transport marijuana outside of
1118 this state in violation of state or federal law.

1119 (b) No research program employee acting within the scope of [his or
1120 her] such research program employee's employment shall be subject to
1121 arrest or prosecution, penalized in any manner, including, but not
1122 limited to, being subject to any civil penalty, or denied any right or
1123 privilege, including, but not limited to, being subject to any disciplinary
1124 action by a professional licensing board, for acquiring, possessing,
1125 delivering, transporting or distributing marijuana to a cannabis
1126 establishment or cannabis testing laboratory, or a research program
1127 subject or distributing or administering marijuana to an animal research
1128 subject under the provisions of this chapter.

1129 Sec. 22. Section 21a-420 of the general statutes is repealed and the
1130 following is substituted in lieu thereof (*Effective July 1, 2023*):

1131 As used in RERACA, unless the context otherwise requires:

1132 (1) "Responsible and Equitable Regulation of Adult-Use Cannabis
1133 Act" or "RERACA" means this section, sections 2-56j, 7-294kk, 7-294ll,
1134 12-330ll to 12-330nn, inclusive, 14-227p, 21a-278b, 21a-278c, 21a-279c,

1135 21a-279d, 21a-420a to [21a-420i] 21a-420j, inclusive, as amended by this
1136 act, 21a-420l to 21a-421r, inclusive, as amended by this act, 21a-421aa to
1137 21a-421ff, inclusive, 21a-421aaa to [21a-421ggg] 21a-421hhh, inclusive,
1138 21a-422 to 21a-422c, inclusive, 21a-422e to 21a-422g, inclusive, 21a-422j
1139 to 21a-422s, inclusive, 22-61n, 23-4b, 47a-9a, 53-247a, 53a-213a, 53a-213b,
1140 54-33p, 54-56q, 54-56r, 54-125k and 54-142u, sections 23, 60, 63 to 65,
1141 inclusive, 124, 144 and 165 of public act 21-1 of the June special session,
1142 and the amendments in public act 21-1 of the June special session to
1143 sections 7-148, 10-221, as amended by this act, 12-30a, 12-35b, 12-412, 12-
1144 650, 12-704d, 14-44k, 14-111e, 14-227a to 14-227c, inclusive, 14-227j, 15-
1145 140q, 15-140r, 18-100h, 19a-342, 19a-342a, 21a-267, as amended by this
1146 act, 21a-277, 21a-279, as amended by this act, 21a-279a, 21a-408 to 21a-
1147 408f, inclusive, as amended by this act, 21a-408h to 21a-408p, as
1148 amended by this act, inclusive, 21a-408r to 21a-408v, inclusive, as
1149 amended by this act, 30-89a, 31-40q, 32-39, 46b-120, 51-164n, 53-394, 53a-
1150 39c, 54-1m, 54-33g, 54-41b, 54-56e, 54-56g, 54-56i, 54-56k, 54-56n, 54-63d,
1151 54-66a [,] and 54-142e [, 21a-421hhh and 21a-420j] and section 23 of this
1152 act;

1153 (2) "Backer" means any individual with a direct or indirect financial
1154 interest in a cannabis establishment. "Backer" does not include an
1155 individual with an investment interest in a cannabis establishment if (A)
1156 the interest held by such individual and such individual's spouse,
1157 parent or child, in the aggregate, does not exceed five per cent of the
1158 total ownership or interest rights in such cannabis establishment, and
1159 (B) such individual does not participate directly or indirectly in the
1160 control, management or operation of the cannabis establishment;

1161 (3) "Cannabis" means marijuana, as defined in section 21a-240, as
1162 amended by this act;

1163 (4) "Cannabis establishment" means a producer, dispensary facility,
1164 cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage
1165 manufacturer, product manufacturer, product packager, delivery
1166 service or transporter;

1167 (5) "Cannabis flower" means the flower, including abnormal and
1168 immature flowers, of a plant of the genus cannabis that has been
1169 harvested, dried, [and] cured, chopped or ground, and prior to any
1170 processing whereby the flower material is transformed into a cannabis
1171 product. "Cannabis flower" does not include (A) the leaves or stem of
1172 such plant, or (B) hemp, as defined in section 22-611, as amended by this
1173 act;

1174 (6) "Cannabis testing laboratory" means a laboratory that (A) is
1175 located in this state, (B) is licensed by the department to analyze
1176 cannabis, and (C) meets the licensure requirements established in
1177 section 21a-408r, as amended by this act, and the regulations adopted
1178 pursuant to subsection (d) of section 21a-408r, as amended by this act;

1179 (7) "Cannabis testing laboratory employee" means an individual who
1180 is (A) employed at a cannabis testing laboratory, and (B) registered
1181 pursuant to section 21a-408r, as amended by this act, and the regulations
1182 adopted pursuant to subsection (d) of section 21a-408r, as amended by
1183 this act;

1184 [(6)] (8) "Cannabis trim" means all parts, including abnormal or
1185 immature parts, of a plant of the genus cannabis, other than cannabis
1186 flower, that have been harvested, dried and cured, and prior to any
1187 processing, excluding chopping or grinding, whereby the plant material
1188 is transformed into a cannabis product. "Cannabis trim" does not
1189 include hemp, as defined in section 22-611, as amended by this act;

1190 [(7)] (9) "Cannabis product" means cannabis, intended for use or
1191 consumption, that is in the form of (A) a cannabis concentrate, or (B) a
1192 product that contains cannabis [, which may be combined with other
1193 ingredients, and is intended for use or consumption. "Cannabis
1194 product" does not include the raw cannabis plant] and at least one other
1195 cannabis or noncannabis ingredient or component, excluding cannabis
1196 flower;

1197 [(8)] (10) "Cannabis concentrate" means any form of concentration,
1198 including, but not limited to, extracts, oils, tinctures, shatter and waxes,

1199 that is extracted from cannabis;

1200 [(9)] (11) "Cannabis-type substances" have the same meaning as
1201 "marijuana", as defined in section 21a-240, as amended by this act;

1202 [(10)] (12) "Commissioner" means the Commissioner of Consumer
1203 Protection and includes any designee of the commissioner;

1204 [(11)] (13) "Consumer" means an individual who is twenty-one years
1205 of age or older;

1206 (14) "Control" means the power to direct, or cause the direction of, the
1207 management and policies of a cannabis establishment, regardless of
1208 whether such power is possessed directly or indirectly;

1209 [(12)] (15) "Cultivation" has the same meaning as provided in section
1210 21a-408, as amended by this act;

1211 [(13)] (16) "Cultivator" means a person that is licensed to engage in
1212 the cultivation, growing and propagation of the cannabis plant at an
1213 establishment with not less than fifteen thousand square feet of grow
1214 space;

1215 [(14)] (17) "Delivery service" means a person that is licensed to deliver
1216 cannabis from (A) micro-cultivators, retailers and hybrid retailers to
1217 consumers and research program subjects, and (B) hybrid retailers and
1218 dispensary facilities to qualifying patients, caregivers and research
1219 program subjects, as defined in section 21a-408, as amended by this act,
1220 or to hospices or other inpatient care facilities licensed by the
1221 Department of Public Health pursuant to chapter 368v that have a
1222 protocol for the handling and distribution of cannabis that has been
1223 approved by the department, or a combination thereof;

1224 [(15)] (18) "Department" means the Department of Consumer
1225 Protection;

1226 [(16)] (19) "Dispensary facility" means a place of business where
1227 cannabis may be dispensed, sold or distributed in accordance with

1228 chapter 420f and any regulations adopted [thereunder] pursuant to said
1229 chapter, to qualifying patients and caregivers, and to which the
1230 department has issued a dispensary facility license [under] pursuant to
1231 chapter 420f and any regulations adopted [thereunder] pursuant to said
1232 chapter;

1233 [(17)] (20) "Disproportionately impacted area" means (A) for the
1234 period beginning July 1, 2021, and ending July 31, 2023, a United States
1235 census tract in the state that has, as determined by the Social Equity
1236 Council under subdivision (1) of subsection (i) of section 21a-420d, as
1237 amended by this act, [(A)] (i) a historical conviction rate for drug-related
1238 offenses greater than one-tenth, or [(B)] (ii) an unemployment rate
1239 greater than ten per cent, and (B) on and after August 1, 2023, a United
1240 States census tract in this state that has been identified by the Social
1241 Equity Council pursuant to subdivision (2) of subsection (i) of section
1242 21a-420d, as amended by this act;

1243 [(18)] (21) "Disqualifying conviction" means a conviction within the
1244 last ten years which has not been the subject of an absolute pardon
1245 under the provisions of section 54-130a, or an equivalent pardon process
1246 under the laws of another state or the federal government, for an offense
1247 under (A) section 53a-276, 53a-277 or 53a-278; (B) section 53a-291, 53a-
1248 292 or 53a-293; (C) section 53a-215; (D) section 53a-138 or 53a-139; (E)
1249 section 53a-142a; (F) sections 53a-147 to 53a-162, inclusive; (G) sections
1250 53a-125c to 53a-125f, inclusive; (H) section 53a-129b, 53a-129c or 53a-
1251 129d; (I) subsection (b) of section 12-737; (J) section 53a-48 or 53a-49, if
1252 the offense which is attempted or is an object of the conspiracy is an
1253 offense under the statutes listed in subparagraphs (A) to (I), inclusive,
1254 of this subdivision; or (K) the law of any other state or of the federal
1255 government, if the offense on which such conviction is based is defined
1256 by elements that substantially include the elements of an offense under
1257 the statutes listed in subparagraphs (A) to (J), inclusive, of this
1258 subdivision;

1259 [(19)] (22) "Dispensary technician" means an individual who has had
1260 an active pharmacy technician or dispensary technician registration in

1261 this state within the past five years, is affiliated with a dispensary facility
1262 or hybrid retailer and is registered with the department in accordance
1263 with chapter 420f and any regulations adopted [thereunder] pursuant
1264 to said chapter;

1265 (23) "Edible cannabis product" means a cannabis product intended
1266 for humans to eat or drink;

1267 ~~[(20)]~~ (24) "Employee" means any person who is not a backer, but is a
1268 member of the board of a company with an ownership interest in a
1269 cannabis establishment, and any person employed by a cannabis
1270 establishment or who otherwise has access to such establishment or the
1271 vehicles used to transport cannabis, including, but not limited to, an
1272 independent contractor who has routine access to the premises of such
1273 establishment or to the cannabis handled by such establishment;

1274 ~~[(21)]~~ (25) "Equity" and "equitable" means efforts, regulations,
1275 policies, programs, standards, processes and any other functions of
1276 government or principles of law and governance intended to: (A)
1277 Identify and remedy past and present patterns of discrimination and
1278 disparities of race, ethnicity, gender and sexual orientation; (B) ensure
1279 that such patterns of discrimination and disparities, whether intentional
1280 or unintentional, are neither reinforced nor perpetuated; and (C)
1281 prevent the emergence and persistence of foreseeable future patterns of
1282 discrimination or disparities of race, ethnicity, gender and sexual
1283 orientation;

1284 ~~[(22)]~~ (26) "Equity joint venture" means a business entity that is
1285 controlled, and at least fifty per cent owned, ~~[and controlled]~~ by an
1286 individual or individuals, or such applicant is an individual, who meets
1287 the criteria of subparagraphs (A) and (B) of subdivision ~~[(48)]~~ (50) of this
1288 section;

1289 ~~[(23)]~~ (27) "Extract" means the preparation, compounding, conversion
1290 or processing of cannabis, either directly or indirectly by extraction or
1291 independently by means of chemical synthesis, or by a combination of
1292 extraction and chemical synthesis to produce a cannabis concentrate;

1293 [(24)] (28) "Financial interest" means any right to, ownership, an
1294 investment or a compensation arrangement with another person,
1295 directly, through business, investment or family. "Financial interest"
1296 does not include ownership of investment securities in a publicly-held
1297 corporation that is traded on a national exchange or over-the-counter
1298 market, provided the investment securities held by such person and
1299 such person's spouse, parent or child, in the aggregate, do not exceed
1300 one-half of one per cent of the total number of shares issued by the
1301 corporation;

1302 [(25)] (29) "Food and beverage manufacturer" means a person that is
1303 licensed to own and operate a place of business that acquires cannabis
1304 and creates food and beverages;

1305 [(26)] (30) "Grow space" means the portion of a premises owned and
1306 controlled by a producer, cultivator or micro-cultivator that is utilized
1307 for the cultivation, growing or propagation of the cannabis plant, and
1308 contains cannabis plants in an active stage of growth, measured starting
1309 from the outermost wall of the room containing cannabis plants and
1310 continuing around the outside of the room. "Grow space" does not
1311 include space used to cure, process, store harvested cannabis or
1312 manufacture cannabis once the cannabis has been harvested;

1313 [(27)] (31) "Historical conviction count for drug-related offenses"
1314 means, for a given area, the number of convictions of residents of such
1315 area (A) for violations of sections 21a-267, as amended by this act, 21a-
1316 277, 21a-278, 21a-279, as amended by this act, and 21a-279a, and (B) who
1317 were arrested for such violations between January 1, 1982, and
1318 December 31, 2020, inclusive, where such arrest was recorded in
1319 databases maintained by the Department of Emergency Services and
1320 Public Protection;

1321 [(28)] (32) "Historical conviction rate for drug-related offenses"
1322 means, for a given area, the historical conviction count for drug-related
1323 offenses divided by the population of such area, as determined by the
1324 five-year estimates of the most recent American Community Survey

1325 conducted by the United States Census Bureau;

1326 [(29)] (33) "Hybrid retailer" means a person that is licensed to
1327 purchase cannabis and sell cannabis and medical marijuana products;

1328 [(30)] (34) "Key employee" means an employee with the following
1329 management position or an equivalent title within a cannabis
1330 establishment: (A) President or chief officer, who is the top ranking
1331 individual at the cannabis establishment and is responsible for all staff
1332 and overall direction of business operations; (B) financial manager, who
1333 is the individual who reports to the president or chief officer and who is
1334 [generally] responsible for oversight of the financial operations of the
1335 cannabis establishment, [including, but not limited to, revenue
1336 generation,] which financial operations include one or more of the
1337 following: (i) Revenue and expense management; (ii) distributions; [
1338 (iii) tax compliance; [and] (iv) budget development; and (v) budget
1339 management and implementation; or (C) compliance manager, who is
1340 the individual who reports to the president or chief officer and who is
1341 generally responsible for ensuring the cannabis establishment complies
1342 with all laws, regulations and requirements related to the operation of
1343 the cannabis establishment;

1344 [(31)] "Laboratory" means a laboratory located in the state that is
1345 licensed by the department to provide analysis of cannabis that meets
1346 the licensure requirements set forth in section 21a-246;

1347 (32) "Laboratory employee" means an individual who is registered as
1348 a laboratory employee pursuant to section 21a-408r;]

1349 [(33)] (35) "Labor peace agreement" means an agreement between a
1350 cannabis establishment and a bona fide labor organization under section
1351 21a-421d, as amended by this act, pursuant to which the owners and
1352 management of the cannabis establishment agree not to lock out
1353 employees and that prohibits the bona fide labor organization from
1354 engaging in picketing, work stoppages or boycotts against the cannabis
1355 establishment;

1356 [(34)] (36) "Manufacture" means to add or incorporate cannabis into
1357 other products or ingredients or create a cannabis product;

1358 [(35)] (37) "Medical marijuana product" means cannabis that may be
1359 exclusively sold to qualifying patients and caregivers by dispensary
1360 facilities and hybrid retailers and which are designated by the
1361 commissioner as reserved for sale to qualifying patients and caregivers
1362 and published on the department's Internet web site;

1363 [(36)] (38) "Micro-cultivator" means a person licensed to engage in the
1364 cultivation, growing and propagation of the cannabis plant at an
1365 establishment containing not less than two thousand square feet and not
1366 more than ten thousand square feet of grow space, prior to any
1367 expansion authorized by the commissioner;

1368 [(37)] (39) "Municipality" means any town, city or borough,
1369 consolidated town and city or consolidated town and borough;

1370 [(38)] (40) "Paraphernalia" means drug paraphernalia, as defined in
1371 section 21a-240, as amended by this act;

1372 [(39)] (41) "Person" means an individual, partnership, limited liability
1373 company, society, association, joint stock company, corporation, estate,
1374 receiver, trustee, assignee, referee or any other legal entity and any other
1375 person acting in a fiduciary or representative capacity, whether
1376 appointed by a court or otherwise, and any combination thereof;

1377 [(40)] (42) "Producer" means a person that is licensed as a producer
1378 pursuant to section 21a-408i and any regulations adopted [thereunder]
1379 pursuant to said section;

1380 [(41)] (43) "Product manufacturer" means a person that is licensed to
1381 obtain cannabis, extract and manufacture products; [exclusive to such
1382 license type;]

1383 [(42)] (44) "Product packager" means a person that is licensed to
1384 package and label cannabis;

1385 [(43)] (45) "Qualifying patient" has the same meaning as provided in
1386 section 21a-408, as amended by this act;

1387 [(44)] (46) "Research program" has the same meaning as provided in
1388 section 21a-408, as amended by this act;

1389 [(45)] (47) "Retailer" means a person, excluding a dispensary facility
1390 and hybrid retailer, that is licensed to purchase cannabis from
1391 producers, cultivators, micro-cultivators, product manufacturers and
1392 food and beverage manufacturers and to sell cannabis to consumers and
1393 research programs;

1394 [(46)] (48) "Sale" or "sell" has the same meaning as provided in section
1395 21a-240, as amended by this act;

1396 [(47)] (49) "Social Equity Council" or "council" means the council
1397 established under section 21a-420d, as amended by this act;

1398 [(48)] (50) "Social equity applicant" means a person that has applied
1399 for a license for a cannabis establishment, where such applicant is
1400 controlled, and at least sixty-five per cent owned, [and controlled] by an
1401 individual or individuals, or such applicant is an individual, who:

1402 (A) Had an average household income of less than three hundred per
1403 cent of the state median household income over the three tax years
1404 immediately preceding such individual's application; and

1405 (B) (i) Was a resident of a disproportionately impacted area for not
1406 less than five of the ten years immediately preceding the date of such
1407 application; or

1408 (ii) Was a resident of a disproportionately impacted area for not less
1409 than nine years prior to attaining the age of eighteen;

1410 [(49)] (51) "THC" has the same meaning as provided in section 21a-
1411 240, as amended by this act;

1412 [(50)] (52) "Third-party lottery operator" means a person, or a

1413 constituent unit of the state system of higher education, that conducts
1414 lotteries pursuant to section 21a-420g, as amended by this act, identifies
1415 the cannabis establishment license applications for consideration
1416 without performing any review of the applications that are identified
1417 for consideration, and that has no direct or indirect oversight of or
1418 investment in a cannabis establishment or a cannabis establishment
1419 applicant;

1420 [(51)] (53) "Transfer" means to transfer, change, give or otherwise
1421 dispose of control over or interest in;

1422 [(52)] (54) "Transport" means to physically move from one place to
1423 another;

1424 [(53)] (55) "Transporter" means a person licensed to transport
1425 cannabis between cannabis establishments, cannabis testing
1426 laboratories and research programs; and

1427 [(54)] (56) "Unemployment rate" means, in a given area, the number
1428 of people sixteen years of age or older who are in the civilian labor force
1429 and unemployed divided by the number of people sixteen years of age
1430 or older who are in the civilian labor force.

1431 Sec. 23. (*Effective July 1, 2023*) During the period beginning October 1,
1432 2023, and ending October 1, 2026, the Department of Consumer
1433 Protection shall, not later than the first day of January, April, July and
1434 October, submit a report, in accordance with section 11-4a of the general
1435 statutes, to the Governor and the joint standing committee of the
1436 General Assembly having cognizance of matters relating to consumer
1437 protection. Each report shall contain the following: (1) For the quarter
1438 ending on the last day of the month immediately preceding the date on
1439 which the department submits such report (A) the number of applicants
1440 that were selected from the lottery, broken down by license type, (B) the
1441 number of provisional licenses that the department issued pursuant to
1442 RERACA, broken down by license type, (C) the number of final licenses
1443 that the department issued pursuant to RERACA, broken down by
1444 license type, town and county, and (D) the mechanism by which the

1445 department issued each license pursuant to RERACA, including, but
1446 not limited to, by way of the lottery, to equity joint ventures and to
1447 cultivators located in disproportionately impacted areas; (2) the
1448 department's good faith estimate regarding any anticipated increase in
1449 the number of cannabis establishments during the next calendar year;
1450 and (3) any other information the department, in the department's
1451 discretion, may deem appropriate.

1452 Sec. 24. Subsections (i) to (k), inclusive, of section 21a-420d of the
1453 general statutes are repealed and the following is substituted in lieu
1454 thereof (*Effective July 1, 2023*):

1455 (i) (1) Not later than August 1, 2021, and annually thereafter until July
1456 31, 2023, the council shall use the most recent five-year United States
1457 Census Bureau American Community Survey estimates or any
1458 successor data to determine one or more United States census tracts in
1459 the state that are a disproportionately impacted area and shall publish a
1460 list of such tracts on the council's Internet web site.

1461 (2) Not later than August 1, 2023, the council shall use poverty rate
1462 data from the most recent five-year United States Census Bureau
1463 American Community Survey estimates, population data from the most
1464 recent decennial census and conviction information from databases
1465 managed by the Department of Emergency Services and Public
1466 Protection to identify all United States census tracts in the state that are
1467 disproportionately impacted areas and shall publish a list of such tracts
1468 on the council's Internet web site. In identifying which census tracts in
1469 this state are disproportionately impacted areas and preparing such list,
1470 the council shall:

1471 (A) Not deem any census tract with a poverty rate that is less than the
1472 state-wide poverty rate to be a disproportionately impacted area;

1473 (B) After eliminating the census tracts described in subparagraph (A)
1474 of this subdivision, rank the remaining census tracts in order from the
1475 census tract with the greatest historical conviction rate for drug-related
1476 offenses to the census tract with the lowest historical conviction rate for

1477 drug-related offenses; and

1478 (C) Include census tracts in the order of rank described in
1479 subparagraph (B) of this subdivision until including the next census
1480 tract would cause the total population of all included census tracts to
1481 exceed twenty-five per cent of the state's population.

1482 (j) After developing criteria for workforce development plans as
1483 described in subdivision (4) of subsection (h) of this section, the council
1484 shall review and approve or deny in writing any such plan submitted
1485 by a producer under section 21a-420l, as amended by this act, or a
1486 hybrid-retailer under section 21a-420u, as amended by this act.

1487 (k) The council shall develop criteria for evaluating the ownership
1488 and control of any equity joint venture created under section 21a-420m,
1489 as amended by this act, 21a-420u, as amended by this act, or [section]
1490 21a-420j, as amended by this act, and shall review and approve or deny
1491 in writing such equity joint venture prior to such equity joint venture
1492 being licensed under section 21a-420m, as amended by this act, 21a-
1493 420u, as amended by this act, or [section] 21a-420j, as amended by this
1494 act. After developing criteria for social equity plans as described in
1495 subdivision (5) of subsection (h) of this section, the council shall review
1496 and approve or deny in writing any such plan submitted by a cannabis
1497 establishment as part of its final license application. The council shall
1498 not approve any equity joint venture applicant which shares with an
1499 equity joint venture any individual owner who meets the criteria
1500 established in subparagraphs (A) and (B) of subdivision [(48)] (50) of
1501 section 21a-420, as amended by this act.

1502 Sec. 25. Section 21a-420e of the general statutes is repealed and the
1503 following is substituted in lieu thereof (*Effective from passage*):

1504 (a) Not later than thirty days after the date that the Social Equity
1505 Council identifies the criteria and the necessary supporting
1506 documentation for social equity applicants and posts such information
1507 on its Internet web site, the department may accept applications for the
1508 following cannabis establishment license types: (1) Retailer, (2) hybrid

1509 retailer, (3) cultivator, (4) micro-cultivator, (5) product manufacturer, (6)
1510 food and beverage manufacturer, (7) product packager, (8) delivery
1511 service, [and] (9) transporter, (10) dispensary facility, and (11) producer.
1512 Each application for licensure shall require the applicant to indicate
1513 whether the applicant wants to be considered for treatment as a social
1514 equity applicant.

1515 (b) On and after July 1, 2021, the department may accept applications
1516 from any dispensary facility to convert its license to a hybrid-retailer
1517 license and any producer for expanded authorization to engage in the
1518 adult use cannabis market under its license issued pursuant to section
1519 21a-408i.

1520 (c) Except as provided in subsection [(e)] (d) of this section, the
1521 following fees shall be paid by each applicant:

1522 (1) For a retailer license, the fee to enter the lottery shall be five
1523 hundred dollars, the fee to receive a provisional license shall be five
1524 thousand dollars and the fee to receive a final license or a renewal of a
1525 final license shall be twenty-five thousand dollars.

1526 (2) For a hybrid retailer license, the fee to enter the lottery shall be five
1527 hundred dollars, the fee to receive a provisional license shall be five
1528 thousand dollars and the fee to receive a final license or a renewal of a
1529 final license shall be twenty-five thousand dollars.

1530 (3) For a cultivator license, the fee to enter the lottery shall be one
1531 thousand dollars, the fee to receive a provisional license shall be twenty-
1532 five thousand dollars and the fee to receive a final license or a renewal
1533 of a final license shall be seventy-five thousand dollars.

1534 (4) For a micro-cultivator license, the fee to enter the lottery shall be
1535 two hundred fifty dollars, the fee to receive a provisional license shall
1536 be five hundred dollars and the fee to receive a final license or a renewal
1537 of a final license shall be one thousand dollars.

1538 (5) For a product manufacturer license, the fee to enter the lottery

1539 shall be seven hundred fifty dollars, the fee to receive a provisional
1540 license shall be five thousand dollars and the fee to receive a final license
1541 or a renewal of a final license shall be twenty-five thousand dollars.

1542 (6) For a food and beverage manufacturer license, the fee to enter the
1543 lottery shall be two hundred fifty dollars, the fee to receive a provisional
1544 license shall be one thousand dollars and the fee to receive a final license
1545 or a renewal of a final license shall be five thousand dollars.

1546 (7) For a product packager license, the fee to enter the lottery shall be
1547 five hundred dollars, the fee to receive a provisional license shall be five
1548 thousand dollars and the fee to receive a final license or a renewal of a
1549 final license shall be twenty-five thousand dollars.

1550 (8) For a delivery service or transporter license, the fee to enter the
1551 lottery shall be two hundred fifty dollars, the fee to receive a provisional
1552 license shall be one thousand dollars and the fee to receive a final license
1553 or a renewal of a final license shall be five thousand dollars.

1554 (9) For an initial or renewal of a backer license, the fee shall be one
1555 hundred dollars.

1556 (10) For an initial or renewal of a key employee license, the fee shall
1557 be one hundred dollars.

1558 (11) For an initial or renewal of a registration of an employee who is
1559 not a key employee, the fee shall be fifty dollars.

1560 (12) The license conversion fee for a dispensary facility to become a
1561 hybrid retailer shall be one million dollars, except as provided in section
1562 21a-420u, as amended by this act.

1563 (13) The license conversion fee for a producer to engage in the adult
1564 use cannabis market shall be three million dollars, except as provided in
1565 section 21a-420l, as amended by this act.

1566 (14) For a dispensary facility license, the fee to enter the lottery shall
1567 be five hundred dollars, the fee to receive a provisional license shall be

1568 five thousand dollars and the fee to receive a final license or a renewal
1569 of a final license shall be five thousand dollars.

1570 (15) For a producer license, the fee to enter the lottery shall be one
1571 thousand dollars, the fee to receive a provisional license shall be twenty-
1572 five thousand dollars and the fee to receive a final license or a renewal
1573 of a final license shall be seventy-five thousand dollars.

1574 (d) For any dispensary facility that has become a hybrid retailer, the
1575 renewal fee shall be the same as the fee for a hybrid retailer set forth in
1576 subdivision (2) of subsection (c) of this section. For any producer
1577 approved for expanded authorization to engage in the adult use
1578 cannabis market, the renewal fee shall be [the same as set forth in section
1579 21a-408i] seventy-five thousand dollars. A social equity applicant shall
1580 pay fifty per cent of the amount of any of the fees specified in subsection
1581 (c) of this section for the first three renewal cycles of the applicable
1582 cannabis establishment license applied for, and the full amount
1583 thereafter, provided in the case of the fees set forth in subdivisions (12)
1584 and (13) of subsection (c) of this section, a social equity applicant shall
1585 pay the full amount of the fee.

1586 (e) For the fiscal year ending June 30, 2023, and thereafter, fees
1587 collected by the department under this section shall be paid to the State
1588 Treasurer and credited to the General Fund, except that the fees
1589 collected under subdivisions (12) and (13) of subsection (c) of this
1590 section shall be deposited in the Social Equity and Innovation Fund
1591 established under section 21a-420f, as amended by this act.

1592 (f) For each license type:

1593 (1) Applicants shall apply on a form and in a manner prescribed by
1594 the commissioner, which form shall include a method for the applicant
1595 to request consideration as a social equity applicant; and

1596 (2) The department shall post on its Internet web site the application
1597 period, which shall specify the first and last date that the department
1598 will accept applications for that license type. The first date that the

1599 department shall accept applications shall be no sooner than thirty days
1600 after the date the Social Equity Council posts the criteria and supporting
1601 documentation necessary to qualify for consideration as a social equity
1602 applicant as set forth in section 21a-420g, as amended by this act. Only
1603 complete license applications received by the department during the
1604 application period shall be considered.

1605 (g) (1) No current or former state officer or employee, or employee of
1606 any other person who at any time had access to an application submitted
1607 to the department pursuant to this section, may disclose such
1608 application, or any information included in or submitted with such
1609 application, unless such disclosure is authorized under this subsection.

1610 (2) The commissioner may disclose the following information
1611 concerning an application submitted to the department pursuant to this
1612 section:

1613 (A) The applicant's name;

1614 (B) The license type for which such application was submitted;

1615 (C) The applicant's social equity designation, if any;

1616 (D) The applicant's address;

1617 (E) The name, electronic mail address and telephone number of the
1618 applicant's owner;

1619 (F) The ownership interest that an owner of a social equity applicant
1620 holds in such applicant, expressed as a percentage of all ownership
1621 interests in such applicant;

1622 (G) The name and address of the person who serves as the applicant's
1623 primary business contact;

1624 (H) The application number assigned to such application;

1625 (I) The date such application was submitted to the department;

1626 (J) Information concerning the applicant's formation, including, but
1627 not limited to, the applicant's business entity type, formation date and
1628 place, and business registration number as such number appears on the
1629 electronic business portal established by the Commercial Recording
1630 Division of the office of the Secretary of the State pursuant to section 3-
1631 99d; and

1632 (K) The name of all cannabis businesses associated with the applicant
1633 and listed on such application.

1634 (3) (A) In addition to the information described in subdivision (2) of
1635 this subsection, the commissioner may, in the commissioner's sole
1636 discretion, disclose any personal information or financial document
1637 associated with an application submitted to the department pursuant to
1638 this section to:

1639 (i) A federal, state or local government agency acting in the course of
1640 such agency's governmental functions, or a person acting on behalf of
1641 such agency in performing such functions;

1642 (ii) A college or university conducting research or assisting the state
1643 in reviewing such applications, provided such college or university
1644 agrees to not disclose any personally identifying information or
1645 confidential business information and to deidentify any personal or
1646 financial information such college or university receives from the
1647 department before releasing any report, study, survey or similar
1648 document concerning such information;

1649 (iii) An officer of the court in connection with an administrative,
1650 arbitral, civil or criminal proceeding in a court of competent jurisdiction
1651 or before a government agency or self-regulatory body, including, but
1652 not limited to, the service of process, an investigation performed in
1653 anticipation of litigation, an order issued by such court or the execution
1654 or enforcement of a judgment or order issued by such court, provided
1655 the person to whom the commissioner discloses such information or
1656 document is a party in interest to such proceeding;

1657 (iv) A state marshal in the course of performing such marshal's duties
1658 under section 6-38a; or

1659 (v) The applicant or the applicant's owner to confirm that any such
1660 information or document such applicant or owner submitted to the
1661 department in connection with such application is accurate.

1662 (B) Any personal information or financial document the
1663 commissioner discloses pursuant to subparagraph (A) of this
1664 subdivision shall remain confidential, and no person described in
1665 subparagraphs (A)(i) to (A)(iv), inclusive, of this subdivision shall
1666 further disseminate such information or document in a manner that
1667 would enable another person to identify any person referenced in, and
1668 related to, such information or document unless such disclosure is
1669 required under other applicable law.

1670 Sec. 26. Subsection (c) of section 21a-420e of the general statutes, as
1671 amended by section 25 of this act, is repealed and the following is
1672 substituted in lieu thereof (*Effective July 1, 2023*):

1673 (c) Except as provided in subsection (d) of this section, the following
1674 fees shall be paid by each applicant:

1675 (1) For a retailer license, the fee to enter the lottery shall be five
1676 hundred dollars, the fee to receive a provisional license shall be five
1677 thousand dollars and the fee to receive a final license or a renewal of a
1678 final license shall be twenty-five thousand dollars.

1679 (2) For a hybrid retailer license, the fee to enter the lottery shall be five
1680 hundred dollars, the fee to receive a provisional license shall be five
1681 thousand dollars and the fee to receive a final license or a renewal of a
1682 final license shall be twenty-five thousand dollars.

1683 (3) For a cultivator license, the fee to enter the lottery shall be one
1684 thousand dollars, the fee to receive a provisional license shall be twenty-
1685 five thousand dollars and the fee to receive a final license or a renewal
1686 of a final license shall be seventy-five thousand dollars.

1687 (4) For a micro-cultivator license, the fee to enter the lottery shall be
1688 two hundred fifty dollars, the fee to receive a provisional license shall
1689 be five hundred dollars and the fee to receive a final license or a renewal
1690 of a final license shall be one thousand dollars.

1691 (5) (A) For a product manufacturer license, the fee to enter the lottery
1692 shall be seven hundred fifty dollars, the fee to receive a provisional
1693 license shall be five thousand dollars and the fee to receive a final license
1694 or a renewal of a final license shall be twenty-five thousand dollars.

1695 (B) For a product manufacturer seeking authorization to expand the
1696 product manufacturer's authorized activities to include the authorized
1697 activities of a food and beverage manufacturer, the application fee for
1698 such expanded authorization shall be five thousand dollars and the fee
1699 to renew such expanded authorization shall be five thousand dollars.
1700 The fees due under this subparagraph shall be in addition to the fees
1701 due under subparagraph (A) of this subdivision.

1702 (6) (A) For a food and beverage manufacturer license, the fee to enter
1703 the lottery shall be two hundred fifty dollars, the fee to receive a
1704 provisional license shall be one thousand dollars and the fee to receive
1705 a final license or a renewal of a final license shall be five thousand
1706 dollars.

1707 (B) For a food and beverage manufacturer seeking authorization to
1708 expand the food and beverage manufacturer's authorized activities to
1709 include the authorized activities of a product manufacturer, the
1710 application fee for such expanded authorization shall be twenty-five
1711 thousand dollars and the fee to renew such expanded authorization
1712 shall be twenty-five thousand dollars. The fees due under this
1713 subparagraph shall be in addition to the fees due under subparagraph
1714 (A) of this subdivision.

1715 (7) For a product packager license, the fee to enter the lottery shall be
1716 five hundred dollars, the fee to receive a provisional license shall be five
1717 thousand dollars and the fee to receive a final license or a renewal of a
1718 final license shall be twenty-five thousand dollars.

1719 (8) For a delivery service or transporter license, the fee to enter the
1720 lottery shall be two hundred fifty dollars, the fee to receive a provisional
1721 license shall be one thousand dollars and the fee to receive a final license
1722 or a renewal of a final license shall be five thousand dollars.

1723 (9) For an initial or renewal of a backer license, the fee shall be one
1724 hundred dollars.

1725 (10) For an initial or renewal of a key employee license, the fee shall
1726 be one hundred dollars.

1727 (11) For an initial or renewal of a registration of an employee who is
1728 not a key employee, the fee shall be fifty dollars.

1729 (12) The license conversion fee for a dispensary facility to become a
1730 hybrid retailer shall be one million dollars, except as provided in section
1731 21a-420u, as amended by this act.

1732 (13) The license conversion fee for a producer to engage in the adult
1733 use cannabis market shall be three million dollars, except as provided in
1734 section 21a-420l, as amended by this act.

1735 (14) For a dispensary facility license, the fee to enter the lottery shall
1736 be five hundred dollars, the fee to receive a provisional license shall be
1737 five thousand dollars and the fee to receive a final license or a renewal
1738 of a final license shall be five thousand dollars.

1739 (15) For a producer license, the fee to enter the lottery shall be one
1740 thousand dollars, the fee to receive a provisional license shall be twenty-
1741 five thousand dollars and the fee to receive a final license or a renewal
1742 of a final license shall be seventy-five thousand dollars.

1743 Sec. 27. Subsection (d) of section 21a-420f of the general statutes is
1744 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1745 *2023*):

1746 (d) On and after July 1, 2022, there is established a fund to be known
1747 as the "Prevention and Recovery Services Fund" which shall be a

1748 separate, nonlapsing fund. The fund shall contain any moneys required
1749 by law to be deposited in the fund and shall be held by the Treasurer
1750 separate and apart from all other moneys, funds and accounts. Moneys
1751 in the fund shall be appropriated for the purposes of (1) substance abuse
1752 prevention, treatment and recovery services, which may include, but
1753 need not be limited to, the (A) provision of youth cannabis use
1754 prevention services by the local advisory councils on drug use and
1755 prevention established by municipalities pursuant to subsection (a) of
1756 Section 4126 of the Drug Free Schools and Communities Act of 1986, as
1757 amended from time to time, regional behavioral health action
1758 organizations described in section 17a-484f, or youth service bureaus
1759 established pursuant to section 10-19m, and (B) development of a public
1760 awareness campaign to raise awareness of the mental and physical
1761 health risks of youth cannabis use and cannabis use by pregnant
1762 persons, and (2) collection and analysis of data regarding substance use.
1763 The Social Equity Council may make recommendations to any relevant
1764 state agency regarding expenditures to be made for the purposes set
1765 forth in this subsection.

1766 Sec. 28. Section 21a-420g of the general statutes is repealed and the
1767 following is substituted in lieu thereof (*Effective from passage*):

1768 (a) The Social Equity Council shall review the ownership information
1769 and any other information necessary to confirm that an applicant
1770 qualifies as a social equity applicant for all cannabis establishment
1771 license type applications submitted to the department and designated
1772 by the applicant as a social equity applicant. The Social Equity Council
1773 shall prescribe the documentation necessary for applicants to submit to
1774 establish that the ownership, residency and income requirements for
1775 social equity applicants are met. On or before September 1, 2021, the
1776 Social Equity Council shall post such necessary documentation
1777 requirements on its Internet web site to inform applicants of such
1778 requirements prior to the start of the application period.

1779 (b) Except as provided in section 21a-420o, prior to the first date that
1780 the department begins accepting applications for a license type, the

1781 department shall determine the maximum number of applications that
1782 shall be considered for such license type and post such information on
1783 its Internet web site. Fifty per cent of the maximum number of
1784 applications that shall be considered for each license type (1) shall be
1785 selected through a social equity lottery for such license type, and (2)
1786 shall be reserved by the department for social equity applicants. If, upon
1787 the close of the application period for a license type, the department
1788 receives more applications than the maximum number to be considered
1789 in total or to be reserved for social equity applicants as set forth in this
1790 subsection, [(b) of this section,] a third-party lottery operator shall
1791 conduct a lottery to identify applications for review by the department
1792 and the Social Equity Council.

1793 (c) (1) The third-party lottery operator shall:

1794 (A) Not be provided any application received after the close of the
1795 application period;

1796 (B) Give equal weight to every complete application submitted
1797 during the application period; and

1798 (C) Conduct multiple, separate geographic lotteries if required by the
1799 department.

1800 (2) For purposes of the lottery, the third-party lottery operator shall:

1801 (A) Conduct an independent social equity lottery and general lottery
1802 for each license type [and a separate lottery for social equity applicants
1803 of each license type] that results in each application being randomly
1804 ranked starting with one and continuing sequentially; and

1805 (B) Rank all applications in each lottery numerically according to the
1806 order in which they were drawn, including those that exceed the
1807 number to be considered, and identify for the department all
1808 applications to be considered. [, which shall consist of the applications
1809 ranked numerically one to the maximum number set forth in accordance
1810 with subsection (b) of this section.]

1811 (d) (1) Prior to submitting an application, an applicant that is a
1812 business entity shall register such business entity with the Secretary of
1813 the State to do business in this state, and include with such application
1814 an attestation that such applicant has so registered.

1815 (2) No applicant shall apply more than once in any application period
1816 to the social equity lottery round, if applicable, or the general lottery
1817 round. The department shall review the list of all lottery applicants in
1818 the social equity lottery round and the general lottery round,
1819 independently for each such round, to determine whether any applicant
1820 has submitted more than one application under the same applicant
1821 name. Except as provided in subdivision (3) of this subsection, if the
1822 department determines that any applicant has submitted more than one
1823 application in the social equity lottery round or the general lottery
1824 round, all applications submitted in such round by such applicant shall
1825 be disqualified and the department shall remove all such applications
1826 from the pool of eligible applications the department provides to the
1827 third-party lottery operator for selection in such round.

1828 (3) If a social equity application is entered into the general lottery
1829 round pursuant to subdivision (4) of subsection (e) of this section,
1830 thereby resulting in two entries by the same social equity applicant in
1831 the general lottery round, such entries shall not result in disqualification
1832 under subdivision (2) of this subsection. Such social equity applicant
1833 shall not be eligible to receive more than one license from any round of
1834 the general lottery. If such social equity applicant is selected twice for
1835 consideration in any general lottery round, the department shall
1836 disqualify the second such selection and request that the third-party
1837 lottery operator identify the next-ranked application in the applicable
1838 lottery.

1839 (4) No disqualification under this subsection shall result in any
1840 refund of lottery fees.

1841 (5) For the purpose of this subsection: (A) "Application period" means
1842 the established period of time within which the department may accept

1843 applications for a specific license type for the social equity or general
1844 lottery; and (B) "round" means each time a lottery is run to determine
1845 the ranking of applicants after the conclusion of an application period,
1846 either for the social equity lottery or the general lottery.

1847 ~~[(d)]~~ (e) (1) Upon receipt of an application for social equity
1848 consideration or, in the case where a social equity lottery is conducted,
1849 after such lottery applicants are selected, the department shall provide
1850 to the Social Equity Council the documentation received by the
1851 department during the application process that is required under
1852 subsection (a) of this section. No identifying information beyond what
1853 is necessary to establish social equity status shall be provided to the
1854 Social Equity Council. The Social Equity Council shall review the social
1855 equity applications to be considered as identified by the third-party
1856 lottery operator to determine whether the applicant meets the criteria
1857 for a social equity applicant. If the Social Equity Council determines that
1858 an applicant does not qualify as a social equity applicant, the application
1859 shall not be reviewed further for purposes of receiving a license
1860 designated for social equity applicants. The application shall be entered
1861 into the ~~[other]~~ general lottery for the applicable license type and may
1862 be reviewed further if selected through such lottery, provided the
1863 applicant pays the additional amount necessary to pay the full fee for
1864 entry into such lottery within five business days of being notified by the
1865 Social Equity Council that ~~[it]~~ such applicant does not qualify as a social
1866 equity applicant. Not later than thirty days after the Social Equity
1867 Council notifies an applicant ~~[is notified of a denial of a license~~
1868 application under this subsection] of the Social Equity Council's
1869 determination that the applicant does not meet the criteria for a social
1870 equity applicant, the applicant may appeal ~~[such denial]~~ from such
1871 determination to the Superior Court in accordance with section 4-183.

1872 (2) Upon determination by the Social Equity Council that an
1873 application selected through the lottery process does not qualify for
1874 consideration as a social equity applicant, the department shall request
1875 that the third-party lottery operator identify the next-ranked application
1876 in the ~~[applicable]~~ social equity lottery. This process may continue until

1877 the Social Equity Council has identified for further consideration the
1878 number of applications set forth on the department's web site pursuant
1879 to subsection (b) of this section or [the lottery indicates that] until there
1880 are no [further] remaining social equity applications to be considered.

1881 (3) For each license type, the Social Equity Council shall identify for
1882 the department the social equity applications that qualify as social
1883 equity applicants and that should be reviewed by the department for
1884 purposes of awarding a provisional license.

1885 (4) Any application [subject to] entered into, but not selected through,
1886 the social equity lottery [process] shall not be reviewed as a social equity
1887 application, but shall be entered into the general lottery for the
1888 [remaining applications for the] applicable license type.

1889 (5) After receiving the list of selected social equity applications [from]
1890 reviewed and approved by the Social Equity Council, the department
1891 shall notify the third-party lottery operator, which shall then conduct
1892 [an] the independent general lottery for all remaining applicants for
1893 each license type, rank all general lottery applications numerically
1894 including those that exceed the number to be considered, and identify
1895 for the department all of the selected applications to be reviewed. The
1896 number of applications to be reviewed by the department shall consist
1897 of the applications ranked numerically one through the maximum
1898 number [set forth in accordance with subsection (b) of this section,
1899 provided that if fewer social equity applicants are identified pursuant
1900 to subdivision (3) of this subsection, the maximum number shall be the
1901 number] necessary to ensure that fifty per cent of the applications for
1902 each license type identified through the lottery process are [social equity
1903 applicants] selected from the social equity lottery and approved by the
1904 Social Equity Council.

1905 (6) The numerical rankings created by the third-party lottery operator
1906 shall be confidential and shall not be subject to disclosure under the
1907 Freedom of Information Act, as defined in section 1-200.

1908 [(e)] (f) The department shall review each application to be

1909 considered, as identified by the third-party lottery operator or Social
1910 Equity Council, as applicable, to confirm [it] such application is
1911 complete and to determine whether any application: (1) Includes a
1912 backer with a disqualifying conviction; (2) [includes a backer that would
1913 result in common ownership in violation of] exceeds the cap set forth in
1914 section 21a-420i; or (3) has a backer who individually or in connection
1915 with a cannabis business in another state or country has an
1916 administrative finding or judicial decision that may substantively
1917 compromise the integrity of the cannabis program, as determined by the
1918 department, or that precludes its participation in this state's cannabis
1919 program.

1920 [(f)] (g) No additional backers may be added to a cannabis
1921 establishment application between the time of lottery entry, or any
1922 initial application for a license, and when a final license is awarded to
1923 the cannabis establishment, except, if a backer of an applicant or
1924 provisional licensee dies, the applicant or provisional licensee may
1925 apply to the commissioner to replace the deceased backer, provided if
1926 such applicant is a social equity applicant, the Social Equity Council
1927 shall review ownership to ensure such replacement would not cause the
1928 applicant to no longer qualify as a social equity applicant. A backer may
1929 be removed from a cannabis establishment application selected through
1930 the general lottery at any time upon notice to the department.

1931 [(g)] (h) If an applicant [or a single backer of an applicant] is
1932 disqualified on the basis of any of the criteria set forth in subsection [(e)]
1933 (f) of this section, the entire application shall be denied, and such denial
1934 shall be a final decision of the department [, provided backers of the
1935 applicant entity named in the lottery application submission may be
1936 removed prior to submission of a final license application unless such
1937 removal would result in a social equity applicant no longer qualifying
1938 as a social equity applicant. If] unless the applicant removes [any
1939 backer] from such application all backers that would cause [the
1940 applicant to be denied based on subsection (e) of this section, then the
1941 applicant entity shall not be denied due to such backer's prior
1942 involvement if such backer is removed within thirty days of notice by

1943 the department of the disqualification of a backer] such denial not later
1944 than thirty days after the department sends notice to the applicant
1945 disclosing such denial. Any change to a social equity applicant shall be
1946 reviewed and approved by the Social Equity Council before such change
1947 is reviewed by the department. Not later than thirty days after [service
1948 of] the department sends notice [upon] to the applicant [of a] disclosing
1949 such denial, the applicant may appeal such denial to the Superior Court,
1950 [in accordance with section 4-183.]

1951 [(h)] (i) For each application denied pursuant to subsection [(e)] (f) of
1952 this section, the department may, within its discretion, request that the
1953 third-party lottery operator identify the next-ranked application in the
1954 applicable lottery. If the applicant that was denied was a social equity
1955 applicant, the next ranked social equity applicant shall first be reviewed
1956 by the Social Equity Council to confirm that the applicant qualifies as a
1957 social equity applicant prior to being further reviewed by the
1958 department. This process may continue until the department has
1959 identified for further consideration the number of applications
1960 equivalent to the maximum number set forth on its Internet web site
1961 pursuant to subsection (b) of this section. If the number of applications
1962 remaining is less than the maximum number posted on the
1963 department's Internet web site, the department shall award fewer
1964 licenses. To the extent the denials result in less than fifty per cent of
1965 applicants being social equity applicants, the department shall continue
1966 to review and issue provisional and final licenses for the remaining
1967 applications, but shall reopen the application period only for social
1968 equity applicants.

1969 [(i)] (j) All applicants selected in the lottery and not denied shall be
1970 provided a provisional license application, which shall be submitted in
1971 a form and manner prescribed by the commissioner. [Applicants]
1972 Lottery applicants shall have sixty days from the date they receive their
1973 provisional application to complete the application. The right to apply
1974 for a provisional license is nontransferable. Upon receiving a
1975 provisional application from an applicant, the department shall review
1976 the application for completeness and to confirm that all information

1977 provided is acceptable and in compliance with this section and any
1978 regulations adopted under this section. If a provisional application does
1979 not meet the standards set forth in this section, the applicant shall not
1980 be provided a provisional license. A provisional license issued by the
1981 department to an applicant on or before June 30, 2023, other than a
1982 provisional license issued pursuant to section 21a-420o, shall expire
1983 twenty-four months after the date on which the department issued such
1984 provisional license and shall not be renewed. A provisional license
1985 issued by the department to an applicant on or after July 1, 2023, other
1986 than a provisional license issued pursuant to section 21a-420o, shall
1987 expire after fourteen months and shall not be renewed. Upon granting
1988 a provisional license, the department shall notify the applicant of the
1989 project labor agreement requirements of section 21a-421e. A provisional
1990 licensee may apply for a final license of the license type for which the
1991 licensee applied during the initial application period. A provisional
1992 license shall be nontransferable. If the provisional application does not
1993 meet the standards set forth in this section or is not completed within
1994 sixty days, the applicant shall not receive a provisional license. The
1995 decision of the department not to award a provisional license shall be
1996 final and may be appealed in accordance with section 4-183. Nothing in
1997 this section shall prevent a provisional applicant from submitting an
1998 application for a future lottery.

1999 [(j)] (k) Final license applications shall be submitted on a form and in
2000 a manner approved by the commissioner and shall include, but not be
2001 limited to, the information set forth in this section, as well as evidence
2002 of the following:

2003 (1) A contract with an entity providing an approved electronic
2004 tracking system as set forth in section 21a-421n;

2005 (2) A right to occupy the location at which the cannabis establishment
2006 operation will be located;

2007 (3) Any necessary local zoning approval for the cannabis
2008 establishment operation;

2009 (4) A labor peace agreement complying with section 21a-421d, as
2010 amended by this act, has been entered into between the cannabis
2011 establishment and a bona fide labor organization, as defined in section
2012 21a-421d, as amended by this act;

2013 (5) A certification by the applicant that a project labor agreement
2014 complying with section 21a-421e will be entered into by the cannabis
2015 establishment prior to construction of any facility to be used in the
2016 operation of a cannabis establishment;

2017 (6) A social equity plan approved by the Social Equity Council;

2018 (7) A workforce development plan approved by the Social Equity
2019 Council;

2020 (8) Written policies for preventing diversion and misuse of cannabis
2021 and sales to underage persons; and

2022 (9) All other security requirements set forth by the department based
2023 on the specific license type.

2024 [(k)] (l) At any point prior to the expiration of the provisional license,
2025 the department may award a provisional licensee a final license for the
2026 license type for which the licensee applied. Prior to receiving final
2027 license approval, a provisional licensee shall not possess, distribute,
2028 manufacture, sell or transfer cannabis. The department may conduct site
2029 inspections prior to issuing a final license.

2030 [(l)] (m) At any time after receiving a final license, a cannabis
2031 establishment may begin operations, provided all other requirements
2032 for opening a business in compliance with the laws of this state are
2033 complete and all employees have been registered and all key employees
2034 and backers have been licensed, with the department.

2035 Sec. 29. Subsection (e) of section 21a-420j of the general statutes is
2036 repealed and the following is substituted in lieu thereof (*Effective July 1,*
2037 *2023*):

2038 (e) Equity joint ventures that are retailers or hybrid retailers that share
2039 a common [cultivator or] cultivator backer or owner shall not be located
2040 within twenty miles of [another commonly owned equity joint venture]
2041 each other.

2042 Sec. 30. Subsection (d) of section 21a-420l of the general statutes is
2043 repealed and the following is substituted in lieu thereof (*Effective July 1,*
2044 *2023*):

2045 (d) For purposes of this section, "social equity partner" means a
2046 person that is controlled, and at least sixty-five per cent owned, [and
2047 controlled] by an individual or individuals, or such applicant is an
2048 individual, who:

2049 (1) Had an average household income of less than three hundred per
2050 cent of the state median household income over the three tax years
2051 immediately preceding such individual's application; and

2052 (2) (A) Was a resident of a disproportionately impacted area for not
2053 less than five of the ten years immediately preceding the date of such
2054 application; or

2055 (B) Was a resident of a disproportionately impacted area for not less
2056 than nine years prior to attaining the age of eighteen.

2057 Sec. 31. Subsections (b) to (f), inclusive, of section 21a-420m of the
2058 general statutes are repealed and the following is substituted in lieu
2059 thereof (*Effective July 1, 2023*):

2060 (b) The equity joint venture shall be in any cannabis establishment
2061 licensed business, other than a cultivator license, provided such equity
2062 joint venture is at least fifty per cent owned and controlled by an
2063 individual or individuals who meet, or the equity joint venture
2064 applicant is an individual who meets, the criteria established in
2065 subparagraphs (A) and (B) of subdivision [(48)] (50) of section 21a-420,
2066 as amended by this act.

2067 (c) The equity joint venture applicant shall submit an application to

2068 the Social Equity Council that may include, but need not be limited to,
2069 evidence of business formation, ownership allocation, terms of
2070 ownership and financing and proof of social equity status. The equity
2071 joint venture applicant shall submit to the Social Equity Council
2072 information including, but not limited to, the organizing documents of
2073 the entity that outline the ownership stake of each backer, initial backer
2074 investment and payout information to enable the council to determine
2075 the terms of ownership.

2076 (d) Upon obtaining the written approval of the Social Equity Council
2077 for an equity joint venture, the equity joint venture applicant shall apply
2078 for a license from the department in the same form as required by all
2079 other licensees of the same license type, except that such application
2080 shall not be subject to the lottery.

2081 (e) A producer, including the backer of such producer, shall not
2082 increase its ownership in an equity joint venture in excess of fifty per
2083 cent during the seven-year period after a license is issued by the
2084 department under this section.

2085 (f) Equity joint ventures that are retailers or hybrid retailers that share
2086 a common [producer or] producer backer [and that are retailers or
2087 hybrid retailers] or owner shall not be located within twenty miles of
2088 [another commonly owned equity joint venture] each other.

2089 Sec. 32. Subsection (d) of section 21a-420n of the general statutes is
2090 repealed and the following is substituted in lieu thereof (*Effective July 1,*
2091 *2023*):

2092 (d) A cultivator may sell, transfer or transport its cannabis to a
2093 dispensary facility, hybrid retailer, retailer, food and beverage
2094 manufacturer, product manufacturer, research program, cannabis
2095 testing laboratory or product packager utilizing its own employees or a
2096 transporter. A cultivator shall not sell, transfer or deliver to consumers,
2097 qualifying patients or caregivers, directly or through a delivery service.

2098 Sec. 33. Subsection (e) of section 21a-420p of the general statutes is

2099 repealed and the following is substituted in lieu thereof (*Effective July 1,*
2100 *2023*):

2101 (e) A micro-cultivator may sell, transfer or transport its cannabis to a
2102 dispensary facility, hybrid retailer, retailer, delivery service, food and
2103 beverage manufacturer, product manufacturer, research program,
2104 cannabis testing laboratory or product packager, provided the cannabis
2105 is cultivated, grown and propagated at the micro-cultivator's licensed
2106 establishment and transported utilizing the micro-cultivator's own
2107 employees or a transporter. A micro-cultivator shall not gift or transfer
2108 cannabis or cannabis products at no cost to a consumer as part of a
2109 commercial transaction.

2110 Sec. 34. Subsection (b) of section 21a-420r of the general statutes is
2111 repealed and the following is substituted in lieu thereof (*Effective July 1,*
2112 *2023*):

2113 (b) A retailer may obtain cannabis from a cultivator, micro-cultivator,
2114 producer, product packager, food and beverage manufacturer, product
2115 manufacturer or transporter or an undeliverable return from a delivery
2116 service. A retailer may sell, transport or transfer cannabis or cannabis
2117 products to a delivery service, cannabis testing laboratory or research
2118 program. A retailer may sell cannabis to a consumer or research
2119 program. A retailer may not conduct sales of medical marijuana
2120 products nor offer discounts or other inducements to qualifying patients
2121 or caregivers. A retailer shall not gift or transfer cannabis at no cost to a
2122 consumer as part of a commercial transaction.

2123 Sec. 35. Subsection (b) of section 21a-420s of the general statutes is
2124 repealed and the following is substituted in lieu thereof (*Effective July 1,*
2125 *2023*):

2126 (b) A hybrid retailer may obtain cannabis from a cultivator, micro-
2127 cultivator, producer, product packager, food and beverage
2128 manufacturer, product manufacturer or transporter. In addition to the
2129 activities authorized under section 21a-420t, a hybrid retailer may sell,
2130 transport or transfer cannabis to a delivery service, cannabis testing

2131 laboratory or research program. A hybrid retailer may sell cannabis
2132 products to a consumer or research program. A hybrid retailer shall not
2133 gift or transfer cannabis at no cost to a consumer, qualifying patient or
2134 caregiver as part of a commercial transaction.

2135 Sec. 36. Subsections (b) to (f), inclusive, of section 21a-420u of the
2136 general statutes are repealed and the following is substituted in lieu
2137 thereof (*Effective July 1, 2023*):

2138 (b) Any equity joint venture created under this section shall be
2139 created for the development of a cannabis establishment, other than a
2140 cultivator, provided such equity joint venture is at least fifty per cent
2141 owned and controlled by an individual or individuals who meet, or the
2142 equity joint venture applicant is an individual who meets, the criteria
2143 established in subparagraphs (A) and (B) of subdivision [(48)] (50) of
2144 section 21a-420, as amended by this act.

2145 (c) An equity joint venture applicant shall submit an application to
2146 the Social Equity Council that may include, but need not be limited to,
2147 evidence of business formation, ownership allocation, terms of
2148 ownership and financing and proof of social equity status. The equity
2149 joint venture applicant shall submit to the Social Equity Council
2150 information including, but not limited to, the organizing documents of
2151 the entity that outline the ownership stake of each backer, initial backer
2152 investment and payout information to enable the council to determine
2153 the terms of ownership.

2154 (d) Upon receipt of written approval of the equity joint venture by
2155 the Social Equity Council, the equity joint venture applicant shall apply
2156 for a license from the department in the same form as required by all
2157 other licensees of the same license type and subject to the same fees as
2158 required by all other licensees of the same license type, except that such
2159 application shall not be subject to the lottery process.

2160 (e) A dispensary facility, including the backers of such dispensary
2161 facility, shall not increase its ownership in an equity joint venture in
2162 excess of fifty per cent during the seven-year period after a license is

2163 issued by the department under this section.

2164 (f) Equity joint ventures that are retailers or hybrid retailers that share
2165 a common [dispensary facility or] dispensary facility backer or owner,
2166 or hybrid retailer backer or owner, shall not be located within twenty
2167 miles of [another commonly owned equity joint venture] each other.

2168 Sec. 37. Section 21a-420w of the general statutes is repealed and the
2169 following is substituted in lieu thereof (*Effective July 1, 2023*):

2170 (a) On and after July 1, 2021, the department may issue or renew a
2171 license for a person to be a food and beverage manufacturer. No person
2172 may act as a food and beverage manufacturer or represent that such
2173 person is a licensed food and beverage manufacturer unless such person
2174 has obtained a license from the department pursuant to this section.

2175 (b) A food and beverage manufacturer may incorporate cannabis into
2176 foods or beverages as an ingredient. A food and beverage manufacturer
2177 shall not perform extraction of cannabis into a cannabis concentrate nor
2178 create any product that is not a food or beverage intended to be
2179 consumed by humans.

2180 (c) A food and beverage manufacturer may package or label any food
2181 or beverage prepared by the food and beverage manufacturer at the
2182 establishment subject to the license.

2183 (d) A food and beverage manufacturer may sell, transfer or transport
2184 its own products to a cannabis establishment, cannabis testing
2185 laboratory or research program, utilizing its employees or a transporter.
2186 A food and beverage manufacturer may not deliver any cannabis,
2187 cannabis products or food or beverage incorporating cannabis to a
2188 consumer, directly or through a delivery service.

2189 (e) All products created by a food and beverage manufacturer shall
2190 be labeled in accordance with the policies and procedures issued by the
2191 commissioner to implement, and any regulations adopted pursuant to,
2192 RERACA as well as federal Food and Drug Administration and United

2193 States Department of Agriculture requirements.

2194 (f) A food and beverage manufacturer shall ensure all equipment
2195 utilized for manufacturing, processing and packaging cannabis is
2196 sanitary and inspected regularly to deter the adulteration of cannabis in
2197 accordance with RERACA as well as federal Food and Drug
2198 Administration and United States Department of Agriculture
2199 requirements.

2200 (g) (1) A food and beverage manufacturer may expand the food and
2201 beverage manufacturer's authorized activities to include the authorized
2202 activities of a product manufacturer if: (A) The food and beverage
2203 manufacturer submits to the department (i) a completed license
2204 expansion application on a form and in a manner prescribed by the
2205 commissioner, and (ii) the fee prescribed in subparagraph (B) of
2206 subdivision (6) of subsection (c) of section 21a-420e, as amended by this
2207 act; and (B) the commissioner authorizes the food and beverage
2208 manufacturer, in writing, to expand such food and beverage
2209 manufacturer's authorized activities to include the authorized activities
2210 of a product manufacturer.

2211 (2) A food and beverage manufacturer that expands the food and
2212 beverage manufacturer's authorized activities to include the authorized
2213 activities of a product manufacturer under this subsection shall comply
2214 with all provisions of this chapter, and all regulations, policies and
2215 procedures prescribed pursuant to this chapter, concerning product
2216 manufacturers. In the event of a conflict between any provision of this
2217 chapter, or any regulation, policy or procedure prescribed pursuant to
2218 this chapter, concerning food and beverage manufacturers and any such
2219 provision, regulation, policy or procedure concerning product
2220 manufacturers, the provision, regulation, policy or procedure imposing
2221 the more stringent public health and safety standard shall prevail.

2222 Sec. 38. Section 21a-420x of the general statutes is repealed and the
2223 following is substituted in lieu thereof (*Effective July 1, 2023*):

2224 (a) On and after July 1, 2021, the department may issue or renew a

2225 license for a person to be a product manufacturer. No person may act as
2226 a product manufacturer or represent that such person is a licensed
2227 product manufacturer unless such person has obtained a license from
2228 the department pursuant to this section.

2229 (b) A product manufacturer may perform cannabis extractions,
2230 chemical synthesis and all other manufacturing activities authorized by
2231 the commissioner and published on the department's Internet web site.

2232 (c) A product manufacturer may package and label cannabis
2233 manufactured at its establishment subject to the license.

2234 (d) A product manufacturer may sell, transfer or transport its own
2235 products to a cannabis establishment, cannabis testing laboratory or
2236 research program, provided such transportation is performed by
2237 utilizing its own employees or a transporter. A product manufacturer
2238 may not deliver any cannabis to a consumer directly or through a
2239 delivery service.

2240 (e) All products created by a product manufacturer shall be labeled
2241 in accordance with the policies and procedures issued by the
2242 commissioner to implement, and any regulations adopted pursuant to,
2243 RERACA as well as federal Food and Drug Administration
2244 requirements.

2245 (f) A product manufacturer shall ensure all equipment utilized for
2246 manufacturing, extracting, processing and packaging cannabis is
2247 sanitary and inspected regularly to deter the adulteration of cannabis in
2248 accordance with RERACA as well as federal Food and Drug
2249 Administration requirements.

2250 (g) (1) A product manufacturer may expand the product
2251 manufacturer's authorized activities to include the authorized activities
2252 of a food and beverage manufacturer if: (A) The product manufacturer
2253 submits to the department (i) a completed license expansion application
2254 on a form and in a manner prescribed by the commissioner, and (ii) the
2255 fee prescribed in subparagraph (B) of subdivision (5) of subsection (c) of

2256 section 21a-420e, as amended by this act; and (B) the commissioner
2257 authorizes the product manufacturer, in writing, to expand such
2258 product manufacturer's authorized activities to include the authorized
2259 activities of a food and beverage manufacturer.

2260 (2) All equipment that a product manufacturer utilizes to
2261 manufacture edible cannabis products shall be sanitary and regularly
2262 inspected in accordance with all applicable requirements established:
2263 (A) In this chapter and the regulations, policies and procedures adopted
2264 pursuant to this chapter; (B) by the United States Department of
2265 Agriculture; and (C) by the United States Food and Drug
2266 Administration.

2267 (3) A product manufacturer shall label all edible cannabis products
2268 that such product manufacturer manufactures in accordance with all
2269 applicable requirements established: (A) In this chapter and the
2270 regulations, policies and procedures adopted pursuant to this chapter;
2271 (B) by the United States Department of Agriculture; and (C) by the
2272 United States Food and Drug Administration.

2273 (4) A product manufacturer that expands the product manufacturer's
2274 authorized activities to include the authorized activities of a food and
2275 beverage manufacturer under this subsection shall comply with all
2276 provisions of this chapter, and all regulations, policies and procedures
2277 prescribed pursuant to this chapter, concerning food and beverage
2278 manufacturers. In the event of a conflict between any provision of this
2279 chapter, or any regulation, policy or procedure prescribed pursuant to
2280 this chapter, concerning product manufacturers and any such provision,
2281 regulation, policy or procedure concerning food and beverage
2282 manufacturers, the provision, regulation, policy or procedure imposing
2283 the more stringent public health and safety standard shall prevail.

2284 Sec. 39. Subsection (b) of section 21a-420y of the general statutes is
2285 repealed and the following is substituted in lieu thereof (*Effective July 1,*
2286 *2023*):

2287 (b) A product packager may obtain cannabis from a producer,

2288 cultivator, micro-cultivator, food and beverage manufacturer or a
2289 product manufacturer, provided the product packager utilizes its own
2290 employees or a transporter. The product packager may sell, transfer or
2291 transport cannabis to and from any cannabis establishment, cannabis
2292 testing laboratory or research program, provided the product packager
2293 only transports cannabis packaged at its licensed establishment and
2294 utilizing its own employees or a transporter.

2295 Sec. 40. Section 21a-420z of the general statutes is repealed and the
2296 following is substituted in lieu thereof (*Effective July 1, 2023*):

2297 (a) On and after July 1, 2021, the department may issue or renew a
2298 license for a person to be a delivery service or a transporter. No person
2299 may act as a delivery service or transporter or represent that such person
2300 is a licensed delivery service or transporter unless such person has
2301 obtained a license from the department pursuant to this section.

2302 (b) Upon application for a delivery service or transporter license, the
2303 applicant shall indicate whether the applicant is applying to transport
2304 cannabis (1) between cannabis establishments, in which case the
2305 applicant shall apply for a transporter license, or (2) from certain
2306 cannabis establishments to consumers or qualifying patients and
2307 caregivers, or a combination thereof, in which case the applicant shall
2308 apply for a delivery service license.

2309 (c) A delivery service may (1) deliver cannabis from a micro-
2310 cultivator, retailer, or hybrid retailer directly to a consumer, and (2)
2311 deliver cannabis and medical marijuana products from a hybrid retailer
2312 or dispensary facility directly to a qualifying patient, caregiver, or
2313 hospice or other inpatient care facility licensed by the Department of
2314 Public Health pursuant to chapter 368v that has protocols for the
2315 handling and distribution of cannabis that have been approved by the
2316 Department of Consumer Protection. A delivery service may not store
2317 or maintain control of cannabis or medical marijuana products for more
2318 than twenty-four hours between the point when a consumer, qualifying
2319 patient, caregiver or facility places an order, until the time that the

2320 cannabis or medical marijuana product is delivered to such consumer,
2321 qualifying patient, caregiver or facility.

2322 (d) A transporter may deliver cannabis between cannabis
2323 establishments, research programs and cannabis testing laboratories
2324 and shall not store or maintain control of cannabis for more than twenty-
2325 four hours from the time the transporter obtains the cannabis from a
2326 cannabis establishment, research program or cannabis testing
2327 laboratory until the time such cannabis is delivered to the destination.

2328 (e) The commissioner shall adopt regulations, in accordance with
2329 chapter 54, to implement the provisions of RERACA. Notwithstanding
2330 the requirements of sections 4-168 to 4-172, inclusive, in order to
2331 effectuate the purposes of RERACA and protect public health and
2332 safety, prior to adopting such regulations the commissioner shall issue
2333 policies and procedures to implement the provisions of this section that
2334 shall have the force and effect of law. The commissioner shall post all
2335 policies and procedures on the department's Internet web site, and
2336 submit such policies and procedures to the Secretary of the State for
2337 posting on the eRegulations System, at least fifteen days prior to the
2338 effective date of any policy or procedure. Any such policy or procedure
2339 shall no longer be effective upon the earlier of either adoption of such
2340 policy or procedure as a final regulation under section 4-172 or forty-
2341 eight months from July 1, 2021, if such final regulations have not been
2342 submitted to the legislative regulation review committee for
2343 consideration under section 4-170. The commissioner shall issue policies
2344 and procedures, and thereafter adopt final regulations, requiring that:
2345 (1) The delivery service and transporter meet certain security
2346 requirements related to the storage, handling and transport of cannabis,
2347 the vehicles employed, the conduct of employees and agents, and the
2348 documentation that shall be maintained by the delivery service,
2349 transporter and its drivers; (2) a delivery service that delivers cannabis
2350 to consumers maintain an online interface that verifies the age of
2351 consumers ordering cannabis for delivery and meets certain
2352 specifications and data security standards; and (3) a delivery service that
2353 delivers cannabis to consumers, qualifying patients or caregivers, and

2354 all employees and agents of such licensee, to verify the identity of the
2355 qualifying patient, caregiver or consumer and the age of the consumer
2356 upon delivery of cannabis to the end consumer, qualifying patient or
2357 caregiver, in a manner acceptable to the commissioner. The individual
2358 placing the cannabis order shall be the individual accepting delivery of
2359 the cannabis except, in the case of a qualifying patient, the individual
2360 accepting the delivery may be the caregiver of such qualifying patient.

2361 (f) A delivery service shall not gift or transfer cannabis at no cost to a
2362 consumer or qualifying patient or caregiver as part of a commercial
2363 transaction.

2364 (g) A delivery service that employs twelve or more individuals to
2365 deliver cannabis pursuant to subsection (c) of this section may only use
2366 individuals employed on a full-time basis, not less than thirty-five hours
2367 a week, to deliver cannabis pursuant to subsection (c) of this section.
2368 Any delivery service employees who deliver cannabis shall be
2369 registered with the department, and a delivery service shall not employ
2370 more than twenty-five such delivery employees at any given time.

2371 (h) No provision of this section shall be construed to excuse any
2372 delivery service from the requirement that such delivery service enter
2373 into a labor peace agreement with a bona fide labor organization under
2374 section 21a-421d, as amended by this act.

2375 Sec. 41. Subsection (a) of section 21a-421a of the general statutes is
2376 repealed and the following is substituted in lieu thereof (*Effective July 1,*
2377 *2023*):

2378 (a) Each employee of a cannabis establishment, cannabis testing
2379 laboratory or research program, other than a key employee, shall
2380 annually apply for and obtain a registration, on a form and in a manner
2381 prescribed by the commissioner, prior to commencing employment at
2382 the cannabis establishment business.

2383 Sec. 42. Section 21a-421b of the general statutes is repealed and the
2384 following is substituted in lieu thereof (*Effective July 1, 2023*):

2385 (a) For the purposes of this section:

2386 (1) "Applicant" means an entity applying for an initial or renewal
2387 cannabis establishment or cannabis testing laboratory license;

2388 (2) "Entity" means an association, company, corporation,
2389 organization, partnership, sole proprietorship or trust;

2390 (3) "Executive managerial control" means, with respect to an
2391 individual, the authority or power to direct or influence the direction or
2392 operation of an applicant through agreement, board membership,
2393 contract or voting power;

2394 (4) "Manager" means an individual who is not a key employee and
2395 has (A) an ownership interest in an applicant, and (B) executive
2396 managerial control of an applicant;

2397 (5) "Owner" means an individual who has more than a five per cent
2398 ownership interest in an applicant; and

2399 (6) "Ownership interest" means the possession of equity in the assets,
2400 capital, profits or stock of an applicant.

2401 [(a) On and after July 1, 2021, the] (b) The commissioner shall require
2402 [all individuals listed on an application for a cannabis establishment
2403 license, laboratory or research program license, or key employee license
2404 to submit to] that a fingerprint-based state and national criminal history
2405 records [checks before such license is issued. The criminal history
2406 records checks required pursuant to this subsection shall] check be
2407 conducted in accordance with section 29-17a [. Upon renewal, the] for
2408 each key employee, manager and owner of an applicant. The
2409 commissioner may require [all individuals listed on an application for a
2410 cannabis establishment license, laboratory or research program license,
2411 or key employee license to be fingerprinted and] such key employees,
2412 managers and owners to submit to a state and national criminal history
2413 records check conducted in accordance with section 29-17a before [such
2414 renewal] issuing a license [is issued] renewal.

2415 (c) A key employee, manager or owner shall be denied a license in
2416 the event that the key employee's background check reveals a
2417 disqualifying conviction.

2418 ~~[(b)]~~ (d) The department shall charge the applicant a fee equal to the
2419 amount charged to the department to conduct a state and national
2420 criminal history records check of the applicant.

2421 Sec. 43. Section 21a-421d of the general statutes is repealed and the
2422 following is substituted in lieu thereof (*Effective July 1, 2023*):

2423 (a) As used in this section:

2424 (1) "Bona fide labor organization" means (A) with respect to a labor
2425 peace agreement entered into on or before September 30, 2023, a labor
2426 union that [(A)] (i) represents employees in this state with regard to
2427 wages, hours and working conditions, [(B)] (ii) whose officers have been
2428 elected by a secret ballot or otherwise in a manner consistent with
2429 federal law, [(C)] (iii) is free of domination or interference by any
2430 employer and has received no improper assistance or support from any
2431 employer, and [(D)] (iv) is actively seeking to represent cannabis
2432 workers in the state, and (B) with respect to a labor peace agreement
2433 entered into on or after October 1, 2023, a labor union that is included
2434 on the list established and periodically updated by the department
2435 pursuant to subsection (b) of this section;

2436 (2) "Labor peace agreement" means an agreement between a cannabis
2437 establishment and a bona fide labor organization under this section
2438 pursuant to which the owners and management of the cannabis
2439 establishment agree not to lock out employees and that prohibits the
2440 bona fide labor organization from engaging in picketing, work
2441 stoppages or boycotts against the cannabis establishment;

2442 (3) "Cannabis establishment", "dispensary facility" and "producer"
2443 have the same meanings as provided in section 21a-420, as amended by
2444 this act; and

2445 (4) "Licensee" means a cannabis establishment licensee, dispensary
2446 facility or producer.

2447 (b) (1) Not later than October 1, 2023, the department shall establish
2448 and periodically update a list of labor unions that (A) are actively
2449 seeking to represent cannabis workers in this state, and (B) satisfy the
2450 criteria established in subdivision (2) of this subsection.

2451 (2) Not later than September 1, 2023, the department shall accept
2452 applications for inclusion on the list established pursuant to subdivision
2453 (1) of this subsection. Any labor union that wishes to be included on
2454 such list shall submit an application to the department, in a form and
2455 manner prescribed by the department. As part of such application, such
2456 labor union shall attest, under penalty of false statement, that such labor
2457 union:

2458 (A) Is actively seeking to represent cannabis workers in this state;

2459 (B) Satisfies at least two of the following criteria:

2460 (i) Such labor union represents employees in this state with regard to
2461 wages, hours and working conditions;

2462 (ii) Such labor union has been recognized or certified as the
2463 bargaining representative for cannabis employees employed at cannabis
2464 establishments in this state;

2465 (iii) Such labor union has executed one or more collective bargaining
2466 agreements with cannabis establishment employers in this state, which
2467 agreement or agreements remain effective on the date of such labor
2468 union's application under this subsection; or

2469 (iv) Such labor union has spent resources as part of one or more
2470 attempts to organize and represent cannabis workers employed at
2471 cannabis establishments in the state, which attempt or attempts remain
2472 active on the date of such labor union's application under this
2473 subsection;

2474 (C) Has filed the annual report required by 29 USC 431(b) for the
2475 three years immediately preceding the date of such labor union's
2476 application under this subsection;

2477 (D) Has audited financial reports covering the three years
2478 immediately preceding the date of such labor union's application under
2479 this subsection;

2480 (E) Was governed by a written constitution or bylaws for the three
2481 years immediately preceding the date of such labor union's application
2482 under this subsection;

2483 (F) Is affiliated with regional or national associations of unions,
2484 including, but not limited to, central labor councils;

2485 (G) Is overseen by officers elected by secret ballot or otherwise in a
2486 manner consistent with federal law;

2487 (H) Is free from domination or interference by any employer; and

2488 (I) Has not received any improper assistance or support from any
2489 employer.

2490 (3) In the event of any change in the information that a labor union
2491 submits to the department under this subsection, the labor union shall
2492 correct or update such information, in a form and manner prescribed by
2493 the department, not later than thirty days after the date of such change.

2494 (4) In the event that a labor union no longer satisfies the criteria
2495 established in subdivision (2) of this subsection, the labor union shall
2496 notify the department, in a form and manner prescribed by the
2497 department and not later than thirty days after such labor union no
2498 longer satisfies such criteria, that such labor union no longer satisfies
2499 such criteria. The department shall remove such labor union from the
2500 list prepared pursuant to subdivision (1) of this subsection.

2501 [(b)] (c) Any provisional cannabis establishment licensee, dispensary
2502 facility or producer shall, as a condition of its final license approval,

2503 license conversion or approval for expanded authorization,
2504 respectively, enter into a labor peace agreement with a bona fide labor
2505 organization. Any such labor peace agreement shall contain a clause
2506 that the parties agree that final and binding arbitration by a neutral
2507 arbitrator will be the exclusive remedy for any violation of such
2508 agreement.

2509 ~~[(c)]~~ (d) Notwithstanding the provisions of chapter 54, if an arbitrator
2510 finds that a licensee failed to comply with an order issued by the
2511 arbitrator to correct a failure to abide by such agreement, upon receipt
2512 of a written copy of such finding, the department shall suspend the
2513 licensee's license without further administrative proceedings or formal
2514 hearing.

2515 ~~[(d)]~~ (e) A licensee or bona fide labor organization may commence a
2516 civil action in the Superior Court in the judicial district where the facility
2517 used in the operation of a cannabis establishment is located to enforce
2518 the arbitration award or to lift the license suspension. The license shall
2519 remain suspended until such time that: (1) ~~[the]~~ The arbitrator notifies,
2520 or both of the parties to the arbitration notify, the department that the
2521 licensee is in compliance with the arbitration award; (2) both of the
2522 parties to the arbitration notify the department that they have
2523 satisfactorily resolved their dispute; (3) the court, after hearing, lifts the
2524 suspension; or (4) the court, after hearing, orders alternative remedies,
2525 which may include, but need not be limited to, ordering the department
2526 to revoke the license or ordering the appointment of a receiver to
2527 properly dispose of any cannabis inventory. Except as provided in
2528 subsection ~~[(e)]~~ (f) of this section, during such time that a license is
2529 suspended pursuant to this section, the licensee may engage in conduct
2530 necessary to maintain and secure the cannabis inventory, but may not
2531 sell, transport or transfer cannabis to another cannabis establishment,
2532 consumer or laboratory, unless such sale or transfer is associated with a
2533 voluntary surrender of license and a cannabis disposition plan
2534 approved by the commissioner.

2535 ~~[(e)]~~ (f) A producer, cultivator or micro-cultivator may sell, transport

2536 or transfer cannabis to a product packager, food or beverage
2537 manufacturer, product manufacturer, dispensary facility or hybrid
2538 retailer for the sale of products to qualified patients or caregivers, which
2539 products shall be labeled "For Medical Use Only".

2540 Sec. 44. Section 21a-421j of the general statutes is repealed and the
2541 following is substituted in lieu thereof (*Effective July 1, 2023*):

2542 (a) As used in this section, "total THC" has the same meaning as
2543 provided in section 21a-240, as amended by this act.

2544 (b) The commissioner shall adopt regulations in accordance with
2545 chapter 54 to implement the provisions of RERACA. Notwithstanding
2546 the requirements of sections 4-168 to 4-172, inclusive, in order to
2547 effectuate the purposes of RERACA and protect public health and
2548 safety, prior to adopting such regulations the commissioner shall issue
2549 policies and procedures to implement the provisions of RERACA that
2550 shall have the force and effect of law. The commissioner shall post all
2551 policies and procedures on the department's Internet web site and
2552 submit such policies and procedures to the Secretary of the State for
2553 posting on the eRegulations System, at least fifteen days prior to the
2554 effective date of any policy or procedure. The commissioner shall also
2555 provide such policies and procedures, in a manner prescribed by the
2556 commissioner, to each licensee. Any such policy or procedure shall no
2557 longer be effective upon the earlier of either the adoption of the policy
2558 or procedure as a final regulation under section 4-172 or forty-eight
2559 months from June 22, 2021, if such regulations have not been submitted
2560 to the legislative regulation review committee for consideration under
2561 section 4-170. The commissioner shall issue policies and procedures and
2562 thereafter final regulations that include, but are not limited to, the
2563 following:

2564 (1) Setting appropriate dosage, potency, concentration and serving
2565 size limits and delineation requirements for cannabis, provided a
2566 standardized serving of edible cannabis product or beverage, other than
2567 a medical marijuana product, shall contain not more than five

2568 milligrams of THC. [;]

2569 (2) Requiring that each single standardized serving of cannabis
2570 product in a multiple-serving edible product or beverage is physically
2571 demarked in a way that enables a reasonable person to determine how
2572 much of the product constitutes a single serving and a maximum
2573 amount of THC per multiple-serving edible cannabis product or
2574 beverage. [;]

2575 (3) Requiring that, if it is impracticable to clearly demark every
2576 standardized serving of cannabis product or to make each standardized
2577 serving easily separable in an edible cannabis product or beverage, the
2578 product, other than cannabis concentrate or medical marijuana product,
2579 shall contain not more than five milligrams of THC per unit of sale. [;]

2580 (4) Establishing, in consultation with the Department of Mental
2581 Health and Addiction Services, consumer health materials that shall be
2582 posted or distributed, as specified by the commissioner, by cannabis
2583 establishments to maximize dissemination to cannabis consumers.
2584 Consumer health materials may include pamphlets, packaging inserts,
2585 signage, online and printed advertisements and advisories and printed
2586 health materials. [;]

2587 (5) Imposing labeling and packaging requirements for cannabis sold
2588 by a cannabis establishment that include, but are not limited to, the
2589 following:

2590 (A) [A] Inclusion of universal [symbol] symbols to indicate that
2591 cannabis, or a cannabis product, [contains cannabis] contains THC and
2592 is not legal or safe for individuals younger than twenty-one years of age,
2593 and prescribe how such product and product packaging shall utilize
2594 and exhibit such [symbol;] symbols.

2595 (B) A disclosure concerning the length of time it typically takes for
2596 the cannabis to affect an individual, including that certain forms of
2597 cannabis take longer to have an effect. [;]

2598 (C) A notation of the amount of cannabis the cannabis product is
2599 considered the equivalent to. [;]

2600 (D) A list of ingredients and all additives for cannabis. [;]

2601 (E) Child-resistant, tamper-resistant and light-resistant packaging,
2602 including requiring that an edible product be individually wrapped. [;]
2603 For the purposes of this subparagraph, packaging shall be deemed to be
2604 (i) child-resistant if the packaging satisfies the standard for special
2605 packaging established in 16 CFR 1700.1(b)(4), as amended from time to
2606 time, (ii) tamper-resistant if the packaging has at least one barrier to, or
2607 indicator of, entry that would preclude the contents of such packaging
2608 from being accessed or adulterated without indicating to a reasonable
2609 person that such packaging has been breached, and (iii) light-resistant if
2610 the packaging is entirely and uniformly opaque and protects the entirety
2611 of the contents of such packaging from the effects of light.

2612 (F) Packaging for cannabis intended for multiple servings to be
2613 resealable in such a manner so as to render such packaging continuously
2614 child-resistant, as described in subparagraph (E)(i) of this subdivision,
2615 and preserve the integrity of the contents of such packaging.

2616 (G) Impervious packaging that protects the contents of such
2617 packaging from contamination and exposure to any toxic or harmful
2618 substance, including, but not limited to, any glue or other adhesive or
2619 substance that is incorporated in such packaging.

2620 [(F)] (H) Product tracking information sufficient to determine where
2621 and when the cannabis was grown and manufactured such that a
2622 product recall could be effectuated. [;]

2623 [(G)] (I) A net weight statement. [;]

2624 [(H)] (J) A recommended use by or expiration date. [; and]

2625 [(I)] (K) Standard and uniform packaging and labeling, including, but
2626 not limited to, requirements (i) regarding branding or logos, (ii) that all
2627 packaging be opaque, and (iii) that amounts and concentrations of THC

2628 and cannabidiol, per serving and per package, be clearly marked on the
2629 packaging or label of any cannabis product sold. [;]

2630 (L) For any cannabis concentrate cannabis product that contains a
2631 total THC percentage greater than thirty per cent, a warning that such
2632 cannabis product is a high-potency product and may increase the risk
2633 of psychosis.

2634 (M) Chemotypes, which shall be displayed as (i) "High THC, Low
2635 CBD" where the ratio of THC to CBD is greater than five to one and the
2636 total THC percentage is at least fifteen per cent, (ii) "Moderate THC,
2637 Moderate CBD" where the ratio of THC to CBD is at least one to five but
2638 not greater than five to one and the total THC percentage is greater than
2639 five per cent but less than fifteen per cent, (iii) "Low THC, High CBD"
2640 where the ratio of THC to CBD is less than one to five and the total THC
2641 percentage is not greater than five per cent, or (iv) the chemotype
2642 described in clause (i), (ii) or (iii) of this subparagraph that most closely
2643 fits the cannabis or cannabis product, as determined by mathematical
2644 analysis of the ratio of THC to CBD, where such cannabis or cannabis
2645 product does not fit a chemotype described in clause (i), (ii) or (iii) of
2646 this subparagraph.

2647 (N) A requirement that, prior to being sold and transferred to a
2648 consumer, qualifying patient or caregiver, cannabis packaging be
2649 clearly labeled, whether printed directly on such packaging or affixed
2650 by way of a separate label, other than an extended content label, with:

2651 (i) A unique identifier generated by a cannabis analytic tracking
2652 system maintained by the department and used to track cannabis under
2653 the policies and procedures issued, and final regulations adopted, by
2654 the commissioner pursuant to this section; and

2655 (ii) The following information concerning the cannabis contained in
2656 such packaging, which shall be in legible English, black lettering, Times
2657 New Roman font, flat regular typeface, on a contrasting background
2658 and in uniform size of not less than one-tenth of one inch, based on a
2659 capital letter "K", which information shall also be available on the

2660 Internet web site of the cannabis establishment that sells and transfers
2661 such cannabis:

2662 (I) The name of such cannabis, as registered with the department
2663 under the policies and procedures issued, and final regulations adopted,
2664 by the commissioner pursuant to this section.

2665 (II) The expiration date, which shall not account for any refrigeration
2666 after such cannabis is sold and transferred to the consumer, qualifying
2667 patient or caregiver.

2668 (III) The net weight or volume, expressed in metric and imperial
2669 units.

2670 (IV) The standardized serving size, expressed in customary units, and
2671 the number of servings included in such packaging, if applicable.

2672 (V) Directions for use and storage.

2673 (VI) Each active ingredient comprising at least one per cent of such
2674 cannabis, including cannabinoids, isomers, esters, ethers and salts and
2675 salts of isomers, esters and ethers, and all quantities thereof expressed
2676 in metric units and as a percentage of volume.

2677 (VII) A list of all known allergens, as identified by the federal Food
2678 and Drug Administration, contained in such cannabis, or the denotation
2679 "no known FDA identified allergens" if such cannabis does not contain
2680 any allergen identified by the federal Food and Drug Administration.

2681 (VIII) The following warning statement within, and outlined by, a red
2682 box:

2683 "This product is not FDA-approved, may be intoxicating, cause long-
2684 term physical and mental health problems, and have delayed side
2685 effects. It is illegal to operate a vehicle or machinery under the influence
2686 of cannabis. Keep away from children."

2687 (IX) At least one of the following warning statements, rotated

2688 quarterly on an alternating basis:

2689 "Warning: Frequent and prolonged use of cannabis can contribute to
2690 mental health problems over time, including anxiety, depression,
2691 stunted brain development and impaired memory."

2692 "Warning: Consumption while pregnant or breastfeeding may be
2693 harmful."

2694 "Warning: Cannabis has intoxicating effects and may be habit-
2695 forming and addictive."

2696 "Warning: Consuming more than the recommended amount may
2697 result in adverse effects requiring medical attention."

2698 (X) All information necessary to comply with labeling requirements
2699 imposed under the laws of this state or federal law, including, but not
2700 limited to, sections 21a-91 to 21a-120, inclusive, and 21a-151 to 21a-159,
2701 inclusive, the Federal Food, Drug and Cosmetic Act, 21 USC 301 et seq.,
2702 as amended from time to time, and the federal Fair Packaging and
2703 Labeling Act, 15 USC 1451 et seq., as amended from time to time, for
2704 similar products that do not contain cannabis.

2705 (XI) Such additional warning labels for certain cannabis products as
2706 the commissioner may require and post on the department's Internet
2707 web site.

2708 (6) Establishing laboratory testing standards. [;]

2709 (7) Restricting forms of cannabis products and cannabis product
2710 delivery systems to ensure consumer safety and deter public health
2711 concerns. [;]

2712 (8) Prohibiting certain manufacturing methods, or inclusion of
2713 additives to cannabis products, including, but not limited to, (A) added
2714 flavoring, terpenes or other additives unless approved by the
2715 department, or (B) any form of nicotine or other additive containing
2716 nicotine. [;]

- 2717 (9) Prohibiting cannabis product types that appeal to children. [;]
- 2718 (10) Establishing physical and cyber security requirements related to
2719 build out, monitoring and protocols for cannabis establishments as a
2720 requirement for licensure. [;]
- 2721 (11) Placing temporary limits on the sale of cannabis in the adult-use
2722 market, if deemed appropriate and necessary by the commissioner, in
2723 response to a shortage of cannabis for qualifying patients. [;]
- 2724 (12) Requiring retailers and hybrid retailers to make best efforts to
2725 provide access to (A) low-dose THC products, including products that
2726 have one milligram and two and a half milligrams of THC per dose, and
2727 (B) high-dose CBD products. [;]
- 2728 (13) Requiring producers, cultivators, micro-cultivators, product
2729 manufacturers and food and beverage manufacturers to register brand
2730 names for cannabis, in accordance with the policies and procedures and
2731 subject to the fee set forth in, regulations adopted under chapter 420f. [;]
- 2732 (14) Prohibiting a cannabis establishment from selling, other than the
2733 sale of medical marijuana products between cannabis establishments
2734 and the sale of cannabis to qualified patients and caregivers, (A)
2735 cannabis flower or other cannabis plant material with a total THC
2736 concentration greater than thirty per cent on a dry-weight basis, and (B)
2737 any cannabis product other than cannabis flower and cannabis plant
2738 material with a total THC concentration greater than sixty per cent on a
2739 dry-weight basis, except that the provisions of subparagraph (B) of this
2740 subdivision shall not apply to the sale of prefilled cartridges for use in
2741 an electronic cannabis delivery system, as defined in section 19a-342a
2742 and the department may adjust the percentages set forth in
2743 subparagraph (A) or (B) of this subdivision in regulations adopted
2744 pursuant to this section for purposes of public health or to address
2745 market access or shortage. As used in this subdivision, ["total THC" has
2746 the same meaning as provided in section 21a-240 and] "cannabis plant
2747 material" means material from the cannabis plant, as defined in section
2748 21a-279a. [; and]

2749 (15) Permitting the outdoor cultivation of cannabis.

2750 (16) Prohibiting packaging that is (A) visually similar to any
2751 commercially similar product that does not contain cannabis, or (B) used
2752 for any good that is marketed to individuals reasonably expected to be
2753 younger than twenty-one years of age.

2754 (17) Allowing packaging to include a picture of the cannabis product
2755 and contain a logo of one cannabis establishment, which logo may be
2756 comprised of not more than three colors and provided neither black nor
2757 white shall be considered one of such three colors.

2758 (18) Requiring packaging to (A) be entirely and uniformly one color,
2759 and (B) not incorporate any information, print, embossing, debossing,
2760 graphic or hidden feature, other than any permitted or required label.

2761 (19) Requiring that packaging and labeling for an edible cannabis
2762 product, excluding the warning labels required under this subsection
2763 and a picture of the cannabis product described in subdivision (17) of
2764 this subsection but including, but not limited to, the logo of the cannabis
2765 establishment, shall only be comprised of black and white or a
2766 combination thereof.

2767 (20) (A) Except as provided in subparagraph (B) of this subdivision,
2768 requiring that delivery device cartridges be labeled, in a clearly legible
2769 manner and in as large a font as the size of the device reasonably allows,
2770 with only the following information (i) the name of the cannabis
2771 establishment where the cannabis is grown or manufactured, (ii) the
2772 cannabis brand, (iii) the total THC and total CBD content contained
2773 within the delivery device cartridge, (iv) the expiration date, and (v) the
2774 unique identifier generated by a cannabis analytic tracking system
2775 maintained by the department and used to track cannabis under the
2776 policies and procedures issued, and final regulations adopted, by the
2777 commissioner pursuant to this section.

2778 (B) A cannabis establishment may emboss, deboss or similarly print
2779 the name of the cannabis establishment's business entity, and one logo

2780 with not more than three colors, on a delivery device cartridge.

2781 Sec. 45. Section 21a-421p of the general statutes is repealed and the
2782 following is substituted in lieu thereof (*Effective July 1, 2023*):

2783 (a) For sufficient cause found pursuant to subsection (b) of this
2784 section, the commissioner may suspend or revoke a license or
2785 registration, issue fines of not more than twenty-five thousand dollars
2786 per violation, accept an offer in compromise or refuse to grant or renew
2787 a license or registration issued pursuant to RERACA, or place such
2788 licensee or registrant on probation, place conditions on such licensee or
2789 registrant or take other actions ~~[permitted]~~ authorized by law.
2790 Information from inspections and investigations conducted by the
2791 department related to administrative complaints or cases shall not be
2792 subject to disclosure under the Freedom of Information Act, as defined
2793 in section 1-200, except after the department has entered into a
2794 settlement agreement, or concluded its investigation or inspection as
2795 evidenced by case closure, provided [that] nothing in this section shall
2796 prevent the department from sharing information with other state and
2797 federal agencies and law enforcement as it relates to investigating
2798 violations of law.

2799 (b) Any of the following shall constitute sufficient cause for such
2800 action by the commissioner, including, but not limited to:

2801 (1) Furnishing of false or fraudulent information in any application
2802 or failure to comply with representations made in any application,
2803 including, but not limited to, medical preservation plans and security
2804 requirements;

2805 (2) A civil judgment against or disqualifying conviction of a cannabis
2806 establishment licensee, backer, key employee or license applicant;

2807 (3) Failure to maintain effective controls against diversion, theft or
2808 loss of cannabis, cannabis products or other controlled substances;

2809 (4) Discipline by, or a pending disciplinary action or an unresolved

2810 complaint against a cannabis establishment licensee, registrant or
2811 applicant regarding any professional license or registration of any
2812 federal, state or local government;

2813 (5) Failure to keep accurate records and to account for the cultivation,
2814 manufacture, packaging or sale of cannabis;

2815 (6) Denial, suspension or revocation of a license or registration, or the
2816 denial of a renewal of a license or registration, by any federal, state or
2817 local government or a foreign jurisdiction;

2818 (7) False, misleading or deceptive representations to the public or the
2819 department;

2820 (8) Return to regular stock of any cannabis where:

2821 (A) The package or container containing the cannabis has been
2822 opened, breached, tampered with or otherwise adulterated; or

2823 (B) The cannabis has been previously sold to an end user or research
2824 program subject;

2825 (9) Involvement in a fraudulent or deceitful practice or transaction;

2826 (10) Performance of incompetent or negligent work;

2827 (11) Failure to maintain the entire cannabis establishment premises
2828 or cannabis testing laboratory and contents in a secure, clean, orderly
2829 and sanitary condition;

2830 (12) [~~Permitting~~] Allowing another person to use the licensee's
2831 license;

2832 (13) Failure to properly register employees or license key employees,
2833 or failure to notify the department of a change in key employees or
2834 backers;

2835 (14) An adverse administrative decision or delinquency assessment
2836 against the cannabis establishment from the Department of Revenue

2837 Services;

2838 (15) Failure to cooperate or give information to the department, local
2839 law enforcement authorities or any other enforcement agency upon any
2840 matter arising out of conduct in connection with a research program or
2841 at the premises of a cannabis establishment or a cannabis testing
2842 laboratory; [or in connection with a research program;]

2843 (16) Advertising in a manner prohibited by section 21a-421bb, as
2844 amended by this act; or

2845 (17) Failure to comply with any provision of RERACA, or any policies
2846 and procedures issued by the commissioner to implement, or
2847 regulations adopted pursuant to, RERACA.

2848 (c) Upon refusal to issue or renew a license or registration, the
2849 commissioner shall notify the applicant of the denial and of the
2850 applicant's right to request a hearing within ten days from the date of
2851 receipt of the notice of denial. If the applicant requests a hearing within
2852 such ten-day period, the commissioner shall give notice of the grounds
2853 for the commissioner's refusal and shall conduct a hearing concerning
2854 such refusal in accordance with the provisions of chapter 54 concerning
2855 contested cases. If the commissioner's denial of a license or registration
2856 is sustained after such hearing, an applicant may not apply for a new
2857 cannabis establishment, cannabis testing laboratory, backer or key
2858 employee license, or employee registration or cannabis testing
2859 laboratory employee registration, for a period of one year after the date
2860 on which such denial was sustained.

2861 (d) No person whose license or registration has been revoked may
2862 apply for a cannabis establishment, backer or key employee license or
2863 an employee registration for a period of one year after the date of such
2864 revocation.

2865 (e) The voluntary surrender of a license or registration, or failure to
2866 renew a license or registration, shall not prevent the commissioner from
2867 suspending or revoking such license or registration or imposing other

2868 penalties permitted by RERACA.

2869 Sec. 46. Subsections (a) to (d), inclusive, of section 21a-421bb of the
2870 general statutes are repealed and the following is substituted in lieu
2871 thereof (*Effective July 1, 2023*):

2872 (a) No person, other than the holder of a cannabis establishment
2873 license issued [by this state] pursuant to this chapter or a person who
2874 provides professional services related to the purchase, sale or use of
2875 cannabis, shall advertise any cannabis or services related to cannabis in
2876 this state.

2877 (b) Except as provided in subsection (d) of this section, cannabis
2878 establishments shall not:

2879 (1) Advertise, including, but not limited to, through a business name
2880 or logo, cannabis, cannabis paraphernalia or goods or services related to
2881 cannabis:

2882 (A) In ways that target or are designed to appeal to individuals under
2883 twenty-one years of age, including, but not limited to, spokespersons or
2884 celebrities who appeal to individuals under the legal age to purchase
2885 cannabis or cannabis products, depictions of a person under twenty-five
2886 years of age consuming cannabis, or, the inclusion of objects, such as
2887 toys, characters or cartoon characters, suggesting the presence of a
2888 person under twenty-one years of age, or any other depiction designed
2889 in any manner to be appealing to a person under twenty-one years of
2890 age; or

2891 (B) By using any image, or any other visual representation, of the
2892 cannabis plant or any part of the cannabis plant, including, but not
2893 limited to, the leaf of the cannabis plant;

2894 (2) Engage in any advertising by means of any form of billboard
2895 within one thousand five hundred feet of an elementary or secondary
2896 school ground or a house of worship, recreation center or facility, child
2897 care center, playground, public park or library, or engage in any

2898 advertising by means of [an electronic or illuminated] a billboard
2899 between the hours of six o'clock a.m. and eleven o'clock p.m.;

2900 (3) Engage in advertising by means of any television, radio, Internet,
2901 mobile application, social media or other electronic communication,
2902 billboard or other outdoor signage, or print publication unless the
2903 cannabis establishment has reliable evidence that at least ninety per cent
2904 of the audience for the advertisement is reasonably expected to be
2905 twenty-one years of age or older;

2906 (4) Engage in advertising or marketing directed toward location-
2907 based devices, including, but not limited to, cellular phones, unless the
2908 marketing is a mobile device application installed on the device by the
2909 owner of the device who is twenty-one years of age or older and
2910 includes a permanent and easy opt-out feature and warnings that the
2911 use of cannabis is restricted to persons twenty-one years of age or older;

2912 (5) Advertise cannabis or cannabis products in a manner claiming or
2913 implying, or permit any employee of the cannabis establishment to
2914 claim or imply, that such products have curative or therapeutic effects,
2915 or that any other medical claim is true, or allow any employee to
2916 promote cannabis for a wellness purpose unless such claims are
2917 substantiated as set forth in regulations adopted under chapter 420f or
2918 verbally conveyed by a licensed pharmacist or other licensed medical
2919 practitioner in the course of business in, or while representing, a hybrid
2920 retail or dispensary facility;

2921 (6) Sponsor charitable, sports, musical, artistic, cultural, social or
2922 other similar events or advertising at, or in connection with, such an
2923 event unless the cannabis establishment has reliable evidence that (A)
2924 not more than ten per cent of the in-person audience at the event is
2925 reasonably expected to be under the legal age to purchase cannabis or
2926 cannabis products, and (B) not more than ten per cent of the audience
2927 that will watch, listen or participate in the event is expected to be under
2928 the legal age to purchase cannabis products;

2929 (7) Advertise cannabis, cannabis products or cannabis paraphernalia

2930 in any physical form visible to the public within five hundred feet of an
2931 elementary or secondary school ground or a recreation center or facility,
2932 child care center, playground, public park or library;

2933 (8) Cultivate cannabis or manufacture cannabis products for
2934 distribution outside of this state in violation of federal law, advertise in
2935 any way that encourages the transportation of cannabis across state lines
2936 or otherwise encourages illegal activity;

2937 (9) Except for dispensary facilities and hybrid retailers, exhibit within
2938 or upon the outside of the facility used in the operation of a cannabis
2939 establishment, or include in any advertisement, the word "dispensary"
2940 or any variation of such term or any other words, displays or symbols
2941 indicating that such store, shop or place of business is a dispensary;

2942 (10) Exhibit within or upon the outside of the premises subject to the
2943 cannabis establishment license, or include in any advertisement the
2944 words "drug store", "pharmacy", "apothecary", "drug", "drugs" or
2945 "medicine shop" or any combination of such terms or any other words,
2946 displays or symbols indicating that such store, shop or place of business
2947 is a pharmacy;

2948 (11) Advertise on or in public or private vehicles or at bus stops, taxi
2949 stands, transportation waiting areas, train stations, airports or other
2950 similar transportation venues including, but not limited to, vinyl-
2951 wrapped vehicles or signs or logos on transportation vehicles not
2952 owned by a cannabis establishment;

2953 (12) Display cannabis, cannabis products or any image, or any other
2954 visual representation, of the cannabis plant or any part of the cannabis
2955 plant, including, but not limited to, the leaf of the cannabis plant, so as
2956 to be clearly visible to a person from the exterior of the facility used in
2957 the operation of a cannabis establishment, or display signs or other
2958 printed material advertising any brand or any kind of cannabis or
2959 cannabis product, or including any image, or any other visual
2960 representation, of the cannabis plant or any part of the cannabis plant,
2961 including, but not limited to, the leaf of the cannabis plant, on the

2962 exterior of any facility used in the operation of a cannabis establishment;

2963 (13) Utilize radio or loudspeaker, in a vehicle or in or outside of a
2964 facility used in the operation of a cannabis establishment, for the
2965 purposes of advertising the sale of cannabis or cannabis products; or

2966 (14) Operate any web site advertising or depicting cannabis, cannabis
2967 products or cannabis paraphernalia unless such web site verifies that
2968 the entrants or users are twenty-one years of age or older.

2969 (c) Except as provided in subsection (d) of this section, any
2970 advertisements from a cannabis establishment shall contain the
2971 following warning: "Do not use cannabis if you are under twenty-one
2972 years of age. Keep cannabis out of the reach of children." In a print or
2973 visual medium, such warning shall be conspicuous, easily legible and
2974 shall take up not less than ten per cent of the advertisement space. In an
2975 audio medium, such warning shall be at the same speed as the rest of
2976 the advertisement and be easily intelligible.

2977 (d) Any outdoor signage, including, but not limited to, any
2978 monument sign, pylon sign or wayfinding sign, shall be deemed to
2979 satisfy the audience requirement established in subdivision (3) of
2980 subsection (b) of this section, be exempt from the distance requirement
2981 established in subdivision (7) of subsection (b) of this section and [shall]
2982 not be required to contain the warning required under subsection (c) of
2983 this section, if such outdoor signage:

2984 (1) Contains only the name and logo of the cannabis establishment;

2985 (2) Does not include any image, or any other visual representation, of
2986 the cannabis plant or any part of the cannabis plant, including, but not
2987 limited to, the leaf of the cannabis plant;

2988 (3) Is comprised of not more than three colors; and

2989 (4) Is located:

2990 (A) On the cannabis establishment's premises, regardless of whether

2991 such cannabis establishment leases or owns such premises; or

2992 (B) On any commercial property occupied by multiple tenants
2993 including such cannabis establishment.

2994 Sec. 47. Section 22-61l of the general statutes is repealed and the
2995 following is substituted in lieu thereof (*Effective July 1, 2023*):

2996 (a) For the purpose of this section and section 22-61m, as amended by
2997 this act, the following terms have the same meaning as provided in 7
2998 CFR 990.1, as amended from time to time: "Acceptable hemp THC level",
2999 "Agricultural marketing service", "Audit", "Cannabis", "Conviction",
3000 "Corrective action plan", "Culpable mental state greater than
3001 negligence", "Decarboxylated", "Decarboxylation", "Disposal", "Dry
3002 weight basis", "Gas chromatography", "Geospatial location", "Handle",
3003 "Liquid chromatography", "Immature plants", "Information sharing
3004 system", "Measurement of uncertainty", "Negligence",
3005 "Phytocannabinoid", "Postdecarboxylation", "Remediation", "Reverse
3006 distributor" and "Total THC". In addition, for the purpose of this section
3007 and section 22-61m, as amended by this act:

3008 (1) "Cannabidiol" or "CBD" means the nonpsychotropic compound by
3009 the same name;

3010 (2) "Certificate of analysis" means a certificate from a laboratory
3011 describing the results of the laboratory's testing of a sample;

3012 (3) "Commissioner" means the Commissioner of Agriculture, or the
3013 commissioner's designated agent;

3014 (4) "Cultivate" means to plant, grow, harvest, handle and store a plant
3015 or crop;

3016 (5) "Federal act" means the United States Agricultural Marketing Act
3017 of 1946, 7 USC 1639o et seq., as amended from time to time;

3018 (6) "Department" means the Department of Agriculture;

- 3019 (7) "Hemp" has the same meaning as provided in the federal act;
- 3020 (8) "Hemp products" means all manufacturer hemp products and
3021 producer hemp products;
- 3022 (9) "Independent testing laboratory" means a facility:
- 3023 (A) For which no person who has any direct or indirect financial or
3024 managerial interest in the laboratory and also has any direct or indirect
3025 interest in a facility that:
- 3026 (i) Produces, distributes, manufactures or sells hemp or hemp
3027 products, or marijuana in any state or territory of the United States; or
- 3028 (ii) Cultivates, processes, distributes, dispenses or sells marijuana;
3029 and
- 3030 (B) That is accredited as a laboratory in compliance with section 21a-
3031 408-59 of the regulations of Connecticut state agencies;
- 3032 (10) "Laboratory" means a laboratory that meets the requirements of
3033 7 CFR 990.3 and that is accredited as a testing laboratory to International
3034 Organization for Standardization (ISO) 17025 by a third-party
3035 accrediting body such as the American Association for Laboratory
3036 Accreditation or the Assured Calibration and Laboratory Accreditation
3037 Select Services;
- 3038 (11) "Law enforcement agency" means the Connecticut State Police,
3039 the United States Drug Enforcement Administration, the Department of
3040 Agriculture, the Department of Consumer Protection Drug Control
3041 Division or any other federal, state or local law enforcement agency or
3042 drug suppression unit;
- 3043 (12) "Licensee" means an individual or entity that possesses a license
3044 to produce or manufacture hemp or hemp products in this state;
- 3045 (13) "Manufacture" means the conversion of the hemp plant into a by-
3046 product by means of adding heat, solvents or any method of extraction

3047 that modifies the original composition of the plant for the purpose of
3048 creating a manufacturer hemp product for commercial or research
3049 purposes;

3050 (14) "Manufacturer" means a person in the state licensed by the
3051 Commissioner of Consumer Protection to manufacture, handle, store
3052 and market manufacturer hemp products pursuant to the provisions of
3053 section 22-61m, as amended by this act, and any regulation adopted
3054 pursuant to section 22-61m, as amended by this act;

3055 (15) "Marijuana" has the same meaning as provided in section 21a-
3056 240, as amended by this act;

3057 (16) "Market" or "marketing" means promoting, distributing or
3058 selling a hemp product within the state, in another state or outside of
3059 the United States and includes efforts to advertise and gather
3060 information about the needs or preferences of potential consumers or
3061 suppliers;

3062 (17) "On-site manager" means the individual designated by the
3063 producer license applicant or producer responsible for on-site
3064 management and operations of a licensed producer;

3065 (18) "Pesticide" has the same meaning as "pesticide chemical" as
3066 provided in section 21a-92;

3067 (19) "Lot" means a contiguous area in a field, greenhouse or indoor
3068 growing structure containing the same variety or strain of hemp
3069 throughout the area;

3070 (20) "Post-harvest sample" means a representative sample of the form
3071 of hemp taken from the harvested hemp from a particular lot's harvest
3072 that is collected in accordance with the procedures established by the
3073 commissioner;

3074 (21) "Pre-harvest sample" means a composite, representative portion
3075 from plants in a hemp lot, that is collected in accordance with the
3076 procedures established by the commissioner;

3077 (22) "Produce" means to cultivate hemp or create any producer hemp
3078 product;

3079 (23) "State plan" means a state plan, as described in the federal act and
3080 as authorized pursuant to this section;

3081 (24) "THC" means delta-9-tetrahydrocannabinol;

3082 (25) "Controlled Substances Act" or "CSA" means the Controlled
3083 Substances Act as codified in 21 USC 801 et seq.;

3084 (26) "Criminal history report" means the fingerprint-based state and
3085 national criminal history record information obtained in accordance
3086 with section 29-17a;

3087 (27) "Drug Enforcement Administration" or "DEA" means the United
3088 States Drug Enforcement Administration;

3089 (28) "Farm service agency" or "FSA" means an agency of the United
3090 States Department of Agriculture;

3091 (29) "Key participant" means a sole proprietor, a partner in
3092 partnership or a person with executive managerial control in an entity,
3093 including persons such as a chief executive officer, chief operating
3094 officer and chief financial officer;

3095 (30) "Manufacturer hemp product" means a commodity
3096 manufactured from the hemp plant, for commercial or research
3097 purposes, that is intended for human ingestion, inhalation, absorption
3098 or other internal consumption, that contains a THC concentration of not
3099 more than 0.3 per cent on a dry weight basis or per volume or weight of
3100 such manufacturer hemp product;

3101 (31) "Producer" means an individual or entity licensed by the
3102 commissioner to produce and market producer hemp products
3103 pursuant to the federal act, the state plan, the provisions of this section
3104 and the regulations adopted pursuant to this section;

3105 (32) "Producer hemp product" means any of the following produced
3106 in this state: Raw hemp product, fiber-based hemp product or animal
3107 hemp food product, and each of which contains a THC concentration of
3108 not more than 0.3 per cent on a dry weight basis or per volume or weight
3109 of such producer hemp product;

3110 (33) "USDA" means the United States Department of Agriculture;

3111 (34) "Entity" means a corporation, joint stock company, association,
3112 limited partnership, limited liability partnership, limited liability
3113 company, irrevocable trust, estate, charitable organization or other
3114 similar organization, including any such organization participating in
3115 the hemp production as a partner in a general partnership, a participant
3116 in a joint venture or a participant in a similar organization; and

3117 (35) "Homogenize" means to blend hemp into a mixture that has a
3118 uniform quality and content throughout such mixture.

3119 (b) The Commissioner of Agriculture shall establish and operate an
3120 agricultural pilot program, as defined in 7 USC 5940, as amended from
3121 time to time, for hemp research to enable the department, and its
3122 licensees, to study methods of producing and marketing hemp. All
3123 producer licensees licensed pursuant to this section shall be participants
3124 in the state agricultural pilot program for hemp research. Until such
3125 time as said commissioner adopts regulations, in accordance with the
3126 provisions of chapter 54, the Department of Agriculture shall utilize
3127 procedures and guidance policies that the commissioner deems to be
3128 consistent with the provisions of 7 USC 5940, as amended from time to
3129 time, provided such procedures and guidance policies shall, at a
3130 minimum, require: (1) The commissioner to certify and register any site
3131 used to grow hemp, (2) any person who produces hemp to produce
3132 plants that meet the definition of hemp and verify such, (3) the
3133 maintenance of records by any person who grows hemp and the
3134 availability of inspection of such records by the commissioner, and (4)
3135 verification of compliance with the definition of hemp by a laboratory,
3136 at the expense of any licensee. The provisions of this section shall take

3137 precedence over any such procedure or guidance policy. Participants in
3138 the state agricultural pilot program for hemp research shall be licensed
3139 in accordance with the provisions of this section. Such pilot program
3140 shall operate until the earlier of the date of a fully approved state plan
3141 under the federal act, as described in this section, or the date of repeal
3142 of the federal law permitting the state's agricultural pilot program for
3143 hemp research.

3144 (c) (1) The commissioner shall prepare a state plan in accordance with
3145 the federal act and 7 CFR 990.3, for approval by the Governor, in
3146 consultation with the office of the Chief State's Attorney and the
3147 Attorney General. The state plan, once approved by the Governor and
3148 the Attorney General, shall be submitted by the commissioner to the
3149 United States Secretary of Agriculture for [his or her] such secretary's
3150 approval. The commissioner shall have the authority to amend the state
3151 plan, in consultation with the Governor, the Attorney General and the
3152 office of the Chief State's Attorney, as necessary to comply with the
3153 federal act.

3154 (2) The commissioner shall operate the state plan, which shall
3155 include, at a minimum, the following requirements:

3156 (A) The sampling of hemp shall comply, at a minimum, with 7 CFR
3157 990.3 and be performed by an authorized sampling agent;

3158 (B) The testing of hemp shall comply, at a minimum, with 7 CFR
3159 990.3;

3160 (C) The control, remediation and disposal of noncompliant cannabis
3161 plants shall comply with 7 CFR 990.27 and 7 CFR 990.3;

3162 (D) The department shall comply with all recordkeeping and
3163 reporting requirements in the federal act, and 7 CFR 990.1 to 7 CFR
3164 990.71, inclusive;

3165 (E) The department shall comply with enforcement procedures in 7
3166 CFR 990.6;

3167 (F) The department shall conduct annual inspections of, at a
3168 minimum, a random sample of producers to verify that hemp is not
3169 produced in violation of the federal act, the state plan and the provisions
3170 of this section, and shall enforce any violation as provided for in the
3171 federal act and as defined in 7 CFR 990.6;

3172 (G) Producers shall report their required license, lot and hemp crop
3173 acreage information to FSA, in accordance with the requirements in 7
3174 CFR 990.7; and

3175 (H) Producers shall report to the commissioner the total acreage of
3176 hemp planted, harvested and, if applicable, disposed of or remediated,
3177 and such other information as the commissioner may require.

3178 (3) All sampling and testing of hemp shall be done using protocols
3179 that are at least as statistically valid as the USDA's published protocols
3180 for sampling and testing of hemp, which protocols shall be posted on
3181 the department's Internet web site. During a scheduled sample
3182 collection, the producer, or an authorized representative of the
3183 producer, shall be present at the lot. A producer shall not harvest the
3184 cannabis crop prior to the taking of samples. Samples of hemp plant
3185 material from one lot shall not be commingled with hemp plant material
3186 from other lots. Lots tested and not certified by a laboratory at or below
3187 the acceptable hemp THC level shall be handled, remediated and
3188 disposed of in accordance with the federal act, the provisions of this
3189 section and the state plan, as applicable.

3190 (4) The commissioner shall collect, maintain and provide to the
3191 USDA, on a timely basis, and not less than once per month, license status
3192 of each hemp producer, contact information for each hemp producer
3193 licensed in the state, including lot legal descriptions and locations, and
3194 any changes to such information. The commissioner shall also report to
3195 the USDA, on a timely basis, and not less than once per month, all
3196 required hemp test results and disposal information for all
3197 nonconforming hemp plants and plant material. Such information shall
3198 not include state and federal fingerprint-based records pursuant to

3199 section 29-17a.

3200 (d) The commissioner shall have the authority to enforce the federal
3201 act, as amended from time to time, the state plan, this section and any
3202 regulations adopted in accordance with the federal act and chapter 54
3203 for hemp production in the state. The commissioner shall have the
3204 authority to enforce the applicable standards for producer hemp
3205 products. The commissioner may consult, collaborate and enter into
3206 cooperative agreements with any federal or state agency, municipality
3207 or political subdivision of the state concerning application of the
3208 provisions of the federal act and the regulations adopted pursuant to the
3209 federal act, as may be necessary to carry out the provisions of this
3210 section.

3211 (e) Any person who produces hemp shall: (1) Be licensed by the
3212 commissioner; (2) comply with the federal act, the state plan, the
3213 provisions of this section and any regulation adopted pursuant to this
3214 section; and (3) transport hemp and hemp samples in a manner and with
3215 such documentation as required by the commissioner.

3216 (f) Any person who sells hemp products shall not be required to be
3217 licensed provided such person only engages in: (1) The retail or
3218 wholesale sale of hemp or hemp products in which no further
3219 producing or manufacturing of the hemp products occurs and the hemp
3220 products are acquired from a person authorized under the laws of this
3221 state or another state, territory or possession of the United States or
3222 another sovereign entity to possess and sell such hemp products; (2) the
3223 acquisition of hemp or hemp products for the sole purpose of product
3224 distribution for resale; or (3) the retail sale of hemp products that are
3225 otherwise authorized under federal or state law.

3226 (g) Any applicant for a license pursuant to this section shall meet each
3227 of the following requirements, as applicable:

3228 (1) Each applicant, whether an individual or an entity, shall submit
3229 an application for a license that consists, at a minimum, of the following:

3230 (A) The name, telephone number, electronic mail address, business

3231 address and address of any individual who is the applicant, the full
3232 name of any entity that is the applicant, including any applicable
3233 principal business location and the full name, title and electronic mail
3234 address of each key participant; (B) the name and address of each lot for
3235 the hemp cultivation or producing location; (C) the geospatial location
3236 of each lot by means of global positioning system coordinates and legal
3237 description of each lot used for the hemp cultivation; (D) the acreage
3238 size of each lot where the hemp will be cultivated; (E) written consent
3239 allowing the commissioner to conduct both scheduled and random
3240 inspections of and around the premises on which the hemp is to be
3241 cultivated, harvested, stored and produced; (F) the applicant's employer
3242 identification number or the applicant's Social Security number if an
3243 employer identification number is not available; and (G) any other
3244 information as may be required by the commissioner;

3245 (2) Each individual who is an applicant and each key participant of
3246 any entity applying for a producer license, or renewal thereof, shall
3247 submit to state and national fingerprint-based criminal history records
3248 checks conducted in accordance with section 29-17a, at [his or her] such
3249 individual's own expense;

3250 (3) No individual, including any key participant of any entity, who
3251 has been convicted of any state or federal felony, related to a controlled
3252 substance, shall be eligible to obtain or hold a producer license for ten
3253 years from the date of the conviction, provided such restriction shall not
3254 apply to any individual who lawfully grew hemp with a license,
3255 registration or authorization under any state pilot program authorized
3256 by section 7606 of the Agricultural Act of 2014 before December 20, 2018.
3257 Any individual or entity that materially falsifies any information in an
3258 application pursuant to this section shall be ineligible to obtain a
3259 producer license; and

3260 (4) Each individual or entity who is required by this section to obtain
3261 a producer license shall pay for all costs of sampling, testing, retesting
3262 and resampling any samples at a laboratory for the purpose of
3263 determining the THC concentration level of any cannabis under their

3264 control, or in their possession. Each individual or entity who is required
3265 by this section to obtain a producer license shall pay for all costs of
3266 disposal of all noncompliant cannabis plants under their control, or in
3267 their possession.

3268 (h) Any producer license issued by the commissioner shall expire on
3269 the third following December thirty-first and may be renewed during
3270 the preceding month of October. Such licenses shall not be transferable.

3271 (i) The following fees shall apply for each producer license and
3272 inspection:

3273 (1) A nonrefundable license application fee of fifty dollars, provided
3274 any constituent unit of higher education, state agency or department
3275 shall be exempt from such application fee if such production is for
3276 research purposes;

3277 (2) A nonrefundable triennial producer license fee of four hundred
3278 fifty dollars for up to one acre of planned hemp plantings and thirty
3279 dollars per each additional acre of planned hemp plantings rounded to
3280 the nearest acre, except no license fee charged shall exceed three
3281 thousand dollars, provided any constituent unit of higher education,
3282 state agency or department shall be exempt from such license fee if such
3283 production is for research purposes; and

3284 (3) In the event that resampling by the commissioner is required due
3285 to a test result that shows a violation of any provision of this section or
3286 any regulation adopted pursuant to this section, the licensee shall pay
3287 an inspection fee of fifty dollars. Such fee shall be paid prior to the
3288 inspection and collection of the sample to be used for resampling.

3289 (j) After receipt and review of an application for producer licensure,
3290 the commissioner may grant a triennial license upon a finding that the
3291 applicant meets the applicable requirements. Each producer licensee
3292 shall notify the commissioner of any changes to their application
3293 information, not later than fifteen days after such change. While the
3294 pilot program is in effect, the commissioner may grant a conditional

3295 approval of a producer license, pending receipt of the criminal history
3296 records check required by this section. The commissioner shall assign
3297 each producer with a license or authorization identifier in a format
3298 consistent with 7 CFR 990.3.

3299 (k) Whenever an inspection or investigation conducted by the
3300 commissioner pursuant to this title reveals any violation of the state
3301 plan, this section or any regulation adopted thereunder, the producer
3302 license applicant or respondent, as applicable, shall be notified, in
3303 writing, of such violation and any corrective action to be taken and the
3304 time period within which such corrective action shall be taken. Any such
3305 producer license applicant or respondent may request a hearing,
3306 conducted in accordance with chapter 54, on any such notification. Any
3307 notification issued pursuant to this section shall be made by certified
3308 mail, return receipt requested to the producer license applicant or
3309 respondent's last known address, by in-hand service by the
3310 commissioner or designated agent of the commissioner, electronic mail
3311 service with the consent of the recipient, or by service in accordance
3312 with chapter 896. The commissioner shall report all producer violations
3313 made with a culpable mental state greater than negligence to the United
3314 States Attorney General and the State's Attorney for the judicial district
3315 in which the producer violation occurred.

3316 (l) Nothing in this section shall be construed to limit the
3317 commissioner's authority to issue a cease and desist order pursuant to
3318 section 22-4d, or an emergency order, in order to respond to a condition
3319 that may present a public health hazard, or issue orders necessary to
3320 effectuate the purposes of this section, including, but not limited to,
3321 orders for the embargo, partial destruction, destruction and release of
3322 hemp or hemp products. Any cease and desist order or an emergency
3323 order shall become effective upon service of such order by the
3324 commissioner. Following service of any such order, subsequent
3325 proceedings shall proceed in accordance with the provisions of section
3326 22-4d and the rules of practice for such agency. Any embargo, partial
3327 destruction, destruction or release order issued pursuant to this section
3328 shall be served by certified mail, return receipt requested to the

3329 respondent's last known address, by in-hand service by the
3330 commissioner or designated agent of the commissioner, or by service in
3331 accordance with chapter 896.

3332 (m) Following a hearing conducted in accordance with chapter 54,
3333 the commissioner may impose an administrative civil penalty, not to
3334 exceed two thousand five hundred dollars per violation, and suspend,
3335 revoke or place conditions upon any producer licensee who violates the
3336 provisions of this section or any regulation adopted pursuant to this
3337 section.

3338 (n) (1) Any individual who produces hemp in this state without
3339 obtaining a license pursuant to this section, or who produces hemp in
3340 this state after having a license suspended or revoked shall have
3341 committed an infraction.

3342 (2) Any entity that produces hemp in this state without obtaining a
3343 license pursuant to this section, produces hemp in violation of this
3344 section or produces hemp in this state after having a license suspended
3345 or revoked may be fined not more than two thousand five hundred
3346 dollars per violation, after a hearing conducted in accordance with
3347 chapter 54.

3348 (o) (1) Any negligent violation, as described in the federal act, of this
3349 section or the state plan shall be subject to enforcement in accordance
3350 with the federal act, and the state plan for negligent violations.

3351 (2) For any negligent violation, a producer shall be required to correct
3352 such negligent violation, by means of a corrective action plan approved
3353 by the commissioner. Each corrective action plan shall include, at a
3354 minimum, a reasonable completion deadline for correction of the
3355 negligent violation, periodic reporting to the commissioner for at least
3356 two years and compliance with the state plan.

3357 (3) Any producer that negligently violates the state plan shall not, as
3358 a result of such negligent violation, be referred by the commissioner for
3359 any criminal enforcement action by the federal, state or local

3360 government.

3361 (4) Any producer that negligently violates the state plan three times
3362 during any five-year period shall be ineligible to produce hemp for a
3363 period of five years beginning on the date of the third violation.

3364 (5) The commissioner shall conduct an inspection to determine if the
3365 corrective action plan for a producer who commits any such negligent
3366 violation was properly implemented.

3367 (p) Any person aggrieved by an order issued pursuant to this section
3368 may appeal to the commissioner in accordance with the provisions of
3369 chapter 54. Such appeal shall be made in writing to the commissioner
3370 and received not later than fifteen days after the date of the order. If no
3371 appeal is made pursuant to this subsection the order shall be final.

3372 (q) (1) All documents submitted under this section shall be subject to
3373 disclosure in accordance with chapter 14, except: (A) Information
3374 depicting or describing (i) the test results of any producer, (ii) the
3375 location of any hemp growing, harvesting, processing or storage
3376 location, or (iii) hemp producer location security schematics; and (B) the
3377 results of any criminal history records check.

3378 (2) Notwithstanding the provisions of subdivision (1) of this
3379 subsection, all documents and records submitted or maintained
3380 pursuant to this section shall be disclosed to any law enforcement
3381 agency upon request of such law enforcement agency.

3382 (r) The commissioner may inspect and shall have access to the
3383 buildings, equipment, supplies, vehicles, records, real property and
3384 other information that the commissioner deems necessary to carry out
3385 the commissioner's duties pursuant to this section from any person
3386 participating in producing, handling, storing, marketing or researching
3387 hemp.

3388 (s) All licensees pursuant to this section shall maintain records
3389 required by the federal act, the state plan, this section and any regulation

3390 adopted pursuant to this section. Each licensee shall make such records
3391 available to the department immediately upon request of the
3392 commissioner and in electronic format, if available.

3393 (t) The commissioner may adopt regulations, in accordance with the
3394 provisions of chapter 54, to implement the provisions of this section
3395 including, but not limited to, the labeling of producer hemp products.

3396 [(u) Notwithstanding any provision of the general statutes: (1)
3397 Marijuana does not include hemp or hemp products; (2) THC that does
3398 not exceed 0.3 per cent by dry weight and that is found in hemp shall
3399 not be considered to be THC that constitutes a controlled substance; (3)
3400 hemp-derived cannabidiols, including CBD, shall not constitute
3401 controlled substances or adulterants solely on the basis of containing
3402 CBD; and (4) hemp products that contain one or more hemp-derived
3403 cannabidiols, such as CBD, intended for ingestion shall be considered
3404 foods, not controlled substances or adulterated products solely on the
3405 basis of the containing hemp-derived cannabidiols.]

3406 [(v)] (u) Whenever the commissioner believes or has reasonable cause
3407 to believe that the actions of a licensee or any employee of a producer
3408 licensee are in violation of the federal act, the state plan, or any state law
3409 concerning the growing, cultivation, handling, transporting or
3410 possession of marijuana, the commissioner shall notify the Department
3411 of Emergency Services and Public Protection and the Division of State
3412 Police.

3413 Sec. 48. Section 22-61m of the general statutes is repealed and the
3414 following is substituted in lieu thereof (*Effective July 1, 2023*):

3415 (a) No person shall manufacture in the state without a license to
3416 manufacture issued by the Commissioner of Consumer Protection.

3417 (b) Each applicant for a manufacturer license shall submit an
3418 application on a form and in a manner prescribed by the Commissioner
3419 of Consumer Protection.

3420 (c) The following fees shall apply for a license to manufacture:

3421 (1) A nonrefundable license application fee of seventy-five dollars;
3422 and

3423 (2) A nonrefundable licensing fee of three hundred seventy-five
3424 dollars for a license to manufacture hemp.

3425 (d) A license to manufacture issued by the Commissioner of
3426 Consumer Protection pursuant to this section shall expire triennially on
3427 June thirtieth. Such licenses shall not be transferable.

3428 (e) In accordance with a hearing held pursuant to chapter 54, the
3429 Commissioner of Consumer Protection may deny, suspend or revoke a
3430 manufacturer license, issue fines of not more than two thousand five
3431 hundred dollars per violation and place conditions upon a
3432 manufacturer licensee who violates the provisions of this section and
3433 any regulation adopted pursuant to this section.

3434 (f) (1) Any individual who manufactures in this state without
3435 obtaining a license pursuant to this section or who manufactures in this
3436 state after such entity's license is suspended or revoked shall be fined
3437 two hundred fifty dollars in accordance with the provisions of section
3438 51-164n.

3439 (2) Any entity who manufactures in this state without obtaining a
3440 license pursuant to this section, or who manufactures in this state after
3441 having a license suspended, shall be fined not more than two thousand
3442 five hundred dollars per violation after a hearing conducted in
3443 accordance with the provisions of chapter 54.

3444 (g) Nothing in this chapter or any regulations adopted pursuant to
3445 this chapter shall be construed to apply to persons licensed pursuant to
3446 section 21a-408i nor to require persons licensed pursuant to said section
3447 to obtain a license pursuant to this chapter.

3448 (h) The Commissioner of Consumer Protection may inspect and shall
3449 have access to the buildings, equipment, supplies, vehicles, records, real

3450 property and other information of any manufacturer applicant or
3451 licensee that the commissioner deems necessary to carry out the
3452 commissioner's duties pursuant to this section.

3453 (i) (1) Each manufacturer shall follow the protocol in this subsection
3454 for disposing of cannabis in the event that any hemp or hemp product
3455 is deemed to exceed the prescribed THC concentration, as determined
3456 by the Commissioner of Consumer Protection, or a manufacturer
3457 licensee in possession of hemp or hemp products who desires to dispose
3458 of obsolete, misbranded, excess or otherwise undesired product. Each
3459 manufacturer licensee shall be responsible for all costs of disposal of
3460 hemp samples and any hemp produced by such licensee that violates
3461 the provisions of this section or any regulation adopted pursuant to this
3462 section. Any cannabis that exceeds the prescribed THC concentration
3463 allowable in hemp or hemp products shall be immediately embargoed
3464 by such manufacturer and clearly labeled as adulterated by such
3465 licensee and such licensee shall immediately notify both the Department
3466 of Consumer Protection and the Department of Agriculture, in writing,
3467 of such adulterated product. Such adulterated product shall be
3468 destroyed and disposed of by the following method, as determined by
3469 the Commissioner of Consumer Protection:

3470 (A) Surrender, without compensation, of such hemp or hemp product
3471 to the Commissioner of Consumer Protection who shall be responsible
3472 for the destruction and disposal of such adulterated product; or

3473 (B) By disposal in a manner prescribed by the Commissioner of
3474 Consumer Protection.

3475 (2) Notwithstanding the provisions of subdivision (1) of this
3476 subsection, upon written request of a manufacturer, the Commissioner
3477 of Consumer Protection may permit such manufacturer to combine
3478 different batches of raw hemp plant material to achieve a THC
3479 concentration of 0.3 per cent on a dry weight basis, in lieu of embargo
3480 or destruction.

3481 (j) The manufacturer or manufacturer's authorized designee

3482 disposing of the hemp or hemp products shall maintain and make
3483 available to the Commissioner of Consumer Protection a record of each
3484 such disposal or destruction of product indicating:

3485 (1) The date, time and location of disposal or destruction;

3486 (2) The manner of disposal or destruction;

3487 (3) The batch or lot information and quantity of hemp or hemp
3488 product disposed of or destroyed; and

3489 (4) The signatures of the persons disposing of the hemp or hemp
3490 products, the authorized representative of the Commissioner of
3491 Consumer Protection and any other persons present during the
3492 disposal.

3493 (k) Any hemp intended to be manufactured by a manufacturer into a
3494 manufacturer hemp product shall be tested by an independent testing
3495 laboratory located in this state. A manufacturer licensee shall make
3496 available samples, in an amount and type determined by the
3497 Commissioner of Consumer Protection, of hemp for an independent
3498 testing laboratory employee to select random samples. The independent
3499 testing laboratory shall test each sample [for microbiological
3500 contaminants, mycotoxins, heavy metals and pesticide chemical
3501 residue, and for purposes of conducting an active ingredient analysis, if
3502 applicable, as determined by the Commissioner of Consumer
3503 Protection] in accordance with the laboratory testing standards
3504 established in policies, procedures and regulations adopted by the
3505 commissioner pursuant to section 21a-421j, as amended by this act.

3506 (l) Once a batch of hemp, intended to be sold as a manufacturer hemp
3507 product, has been homogenized for sample testing and eventual
3508 packaging and sale, until the independent testing laboratory provides
3509 the results from its tests and analysis, the manufacturer [licensee] shall
3510 segregate and withhold from use the entire batch of hemp that is
3511 intended for use as a manufacturer hemp product, except the samples
3512 that have been removed by the independent testing laboratory for

3513 testing. During this period of segregation, the manufacturer licensee
3514 shall maintain the hemp batch in a secure, cool and dry location, as
3515 prescribed by the Commissioner of Consumer Protection, so as to
3516 prevent the hemp from becoming adulterated. Such manufacturer shall
3517 not manufacture or sell a manufacturer hemp product prior to the time
3518 that the independent testing laboratory completes testing and analysis
3519 and provides such results, in writing, to the manufacturer licensee who
3520 initiated such testing.

3521 (m) An independent testing laboratory shall immediately return or
3522 dispose of any hemp or manufacturer hemp product upon the
3523 completion of any testing, use or research. If an independent testing
3524 laboratory disposes of hemp or manufacturer hemp products, the
3525 laboratory shall dispose of such hemp in the following manner, as
3526 determined by the Commissioner of Consumer Protection:

3527 (1) By surrender, without compensation, of such hemp or
3528 manufacturer hemp product to the Commissioner of Consumer
3529 Protection who shall be responsible for the destruction and disposal of
3530 such hemp or hemp product; or

3531 (2) By disposal in a manner prescribed by the Commissioner of
3532 Consumer Protection.

3533 (n) If a sample does not pass the microbiological, mycotoxin, heavy
3534 metal or pesticide chemical residue test, based on the laboratory testing
3535 standards [prescribed by the Commissioner of Consumer Protection
3536 and published on the Internet web site of the Department of Consumer
3537 Protection] established in policies, procedures and regulations adopted
3538 by the Commissioner of Consumer Protection pursuant to section 21a-
3539 421j, as amended by this act, the manufacturer licensee who sent such
3540 batch for testing shall:

3541 (1) Retest and reanalyze the hemp from which the sample was taken
3542 by having an employee from the same laboratory randomly select
3543 another sample from the same hemp batch. If the sample used to retest
3544 or reanalyze such hemp yields satisfactory results for all testing

3545 required under this section, an employee from a different laboratory
3546 shall randomly select a different sample from the same hemp batch for
3547 testing. If both samples yield satisfactory results for all testing required
3548 under this section, the hemp batch from which the samples were taken
3549 shall be released for manufacturing, processing and sale;

3550 (2) If a remediation plan sufficient to ensure public health and safety
3551 is submitted to and approved by the commissioner, remediate the hemp
3552 batch from which the sample was taken and have a laboratory employee
3553 randomly select a sample from such remediated hemp batch for testing.
3554 If such randomly selected sample yields satisfactory results for any
3555 testing required under this section, an employee from a different
3556 laboratory shall randomly select a different sample from the same hemp
3557 batch for testing. If both samples yield satisfactory results for all testing
3558 required under this section, the hemp batch from which the samples
3559 were taken may be released for manufacturing, processing or sale; or

3560 (3) If the manufacturer does not retest or remediate, or if any
3561 subsequent laboratory testing does not yield satisfactory results for any
3562 testing required under this section, dispose of the entire batch from
3563 which the sample was taken in accordance with procedures established
3564 by the Commissioner of Consumer Protection pursuant to subdivision
3565 (1) of subsection (i) of this section.

3566 (o) If a sample passes the microbiological, mycotoxin, heavy metal
3567 and pesticide chemical residue test, the independent testing laboratory
3568 shall release the entire batch for manufacturing, processing or sale.

3569 (p) The independent testing laboratory shall file with the Department
3570 of Consumer Protection an electronic copy of each laboratory test result
3571 for any batch that does not pass the microbiological, mycotoxin, heavy
3572 metal or pesticide chemical residue test, at the same time that it
3573 transmits such results to the manufacturer licensee who requested such
3574 testing. Each independent testing laboratory shall maintain the test
3575 results of each tested batch for a period of three years and shall make
3576 such results available to the Department of Consumer Protection upon

3577 request.

3578 (q) [Manufacturer licensees] Manufacturers shall maintain records
3579 required by the federal act, this section, [and] any regulation adopted
3580 pursuant to this section and the policies, procedures and regulations
3581 adopted by the Commissioner of Consumer Protection pursuant to
3582 section 21a-421j, as amended by this act. Each manufacturer [licensee]
3583 shall make such records available to the Department of Consumer
3584 Protection immediately upon request and in electronic format, if
3585 available.

3586 (r) The Commissioner of Consumer Protection may adopt
3587 regulations, in accordance with the provisions of chapter 54, to
3588 implement the provisions of this section including, but not limited to,
3589 establishing sampling and testing procedures to ensure compliance
3590 with this section, prescribing storage and disposal procedures for hemp,
3591 marijuana and manufacturer hemp products that fail to pass
3592 Department of Consumer Protection prescribed independent testing
3593 laboratory testing standards and establishing advertising and labeling
3594 requirements for manufacturer hemp products.

3595 (s) Any claim of health impacts, medical effects or physical or mental
3596 benefits shall be prohibited on any advertising for, labeling of or
3597 marketing of manufacturer hemp products regardless of whether such
3598 manufacturer hemp products were manufactured in this state or
3599 another jurisdiction. Any violation of this subsection shall be deemed an
3600 unfair or deceptive trade practice under [chapter 735a] subsection (a) of
3601 section 42-110b.

3602 (t) Not later than February 1, 2020, the Commissioners of Agriculture
3603 and Consumer Protection shall submit a report, in accordance with
3604 section 11-4a, to the joint standing committee of the general assembly
3605 having cognizance of matters relating to the environment on the status
3606 of the pilot program, the development of the state plan and any
3607 regulations for such pilot program or state plan. [Additionally such]
3608 Such report shall also include any legislative recommendations,

3609 including, but not limited to, any recommendations for requiring the
3610 registration of any manufacturer hemp product offered for sale in this
3611 state.

3612 (u) (1) Any person who sells manufacturer hemp products shall not
3613 be required to be licensed, provided such person only engages in: [(1)]
3614 (A) The retail or wholesale sale of manufacturer hemp products in
3615 which no further manufacturing of hemp occurs, provided such
3616 manufacturer hemp products are acquired from a person authorized to
3617 manufacture the manufacturer hemp products under the laws of this
3618 state or another state, territory or possession of the United States or
3619 another sovereign entity; [(2)] (B) the acquisition of manufacturer hemp
3620 products for the sole purpose of product distribution for resale; [or (3)]
3621 and (C) the retail sale of manufacturer hemp products that is [otherwise]
3622 authorized under federal or state law.

3623 (2) The Commissioner of Consumer Protection or Commissioner of
3624 Revenue Services may, pursuant to section 4-182, summarily suspend
3625 any credential the Department of Consumer Protection or Department
3626 of Revenue Services issued to any person who sells manufacturer hemp
3627 products in violation of subdivision (1) of this subsection or subsections
3628 (v) to (y), inclusive, of this section.

3629 (v) No manufacturer hemp product offered for sale in this state, or to
3630 a consumer in this state, shall contain any synthetic cannabinoid, as
3631 defined in section 21a-240, as amended by this act.

3632 (w) No manufacturer hemp product offered for sale in this state, or
3633 to a consumer in this state, shall be packaged, presented or advertised
3634 in a manner that is likely to mislead a consumer by incorporating any
3635 statement, brand, design, representation, picture, illustration or other
3636 depiction that: (1) Bears a reasonable resemblance to trademarked or
3637 characteristic packaging of (A) cannabis offered for sale (i) in this state
3638 by a cannabis establishment licensed in this state, or (ii) on tribal land
3639 by a tribal-credentialed cannabis entity, or (B) a commercially available
3640 product other than a cannabis product, as defined in section 21a-420, as

3641 amended by this act; or (2) implies that the manufacturer hemp product
3642 (A) is a cannabis product, as defined in section 21a-420, as amended by
3643 this act, (B) contains a total THC concentration greater than three-tenths
3644 per cent on a dry-weight basis, or (C) is a high-THC hemp product, as
3645 defined in section 21a-240, as amended by this act.

3646 (x) No manufacturer hemp product that is a food, beverage, oil or
3647 other product intended for human ingestion shall be distributed or sold
3648 in this state unless such product is contained within a package, or a label
3649 is affixed to such package, that includes:

3650 (1) A scannable barcode, Internet web site address or quick response
3651 code that is linked to the certificate of analysis of the final form product
3652 batch by an independent testing laboratory and discloses:

3653 (A) The name of such product;

3654 (B) The name, address and telephone number of such product's
3655 manufacturer, packer and distributor, as applicable;

3656 (C) The batch number, which shall match the batch number on such
3657 package or label; and

3658 (D) The concentration of cannabinoids present in such product,
3659 including, but not limited to, total THC and any cannabinoids or active
3660 ingredients comprising at least one per cent of such product;

3661 (2) The expiration or best by date for such product, if applicable;

3662 (3) A clear and conspicuous statement disclosing that:

3663 (A) Children, or those who are pregnant or breastfeeding, should
3664 avoid using such product prior to consulting with a health care
3665 professional concerning such product's safety;

3666 (B) Products containing cannabinoids should be kept out of reach of
3667 children; and

3668 (C) The federal Food and Drug Administration has not evaluated

3669 such product for safety or efficacy; and

3670 (4) If such product is intended to be inhaled, a clear and conspicuous
3671 warning statement disclosing that smoking or vaporizing is hazardous
3672 to human health.

3673 (y) No manufacturer hemp product that is a topical, soap or cosmetic,
3674 as defined in section 21a-92, shall be distributed or sold in this state
3675 unless such product is contained within a package, or a label is affixed
3676 to such package, that includes:

3677 (1) A scannable barcode, Internet web site address or quick response
3678 code that is linked to the certificate of analysis of the final form extract
3679 or final form product batch by an independent testing laboratory and
3680 discloses:

3681 (A) The name of such product;

3682 (B) The name, address and telephone number of such product's
3683 manufacturer, packer and distributor, as applicable;

3684 (C) The batch number, which shall match the batch number on such
3685 package or label; and

3686 (D) The concentration of cannabinoids present in such batch,
3687 including, but not limited to, total THC and any marketed cannabinoids;

3688 (2) The expiration or best by date for such product, if applicable; and

3689 (3) A clear and conspicuous statement disclosing the following:

3690 "THE FDA HAS NOT EVALUATED THIS PRODUCT FOR SAFETY
3691 OR EFFICACY."

3692 (z) Any violation of subsections (u) to (y), inclusive, of this section
3693 shall be deemed an unfair or deceptive trade practice under subsection
3694 (a) of section 42-110b.

3695 (aa) Not later than October 31, 2023, the Department of Emergency

3696 Services and Public Protection shall, in consultation with the
3697 Department of Consumer Protection, publish a training bulletin to
3698 inform local law enforcement agencies and officers regarding the
3699 investigation and enforcement standards concerning cannabis and high-
3700 THC hemp products.

3701 [(v)] (b) Notwithstanding any provision of the general statutes: (1)
3702 [Marijuana does not include manufacturer hemp products; (2)] CBD
3703 that is found in manufacturer hemp products shall not be considered a
3704 controlled substance, as defined in section 21a-240, as amended by this
3705 act, or legend drug, as defined in section 20-571; and [(3) cannabinoids]
3706 (2) CBD derived from hemp and contained in manufacturer hemp
3707 products shall not be considered [controlled substances or adulterants]
3708 a controlled substance or adulterant.

3709 Sec. 49. Section 7-294m of the general statutes is repealed and the
3710 following is substituted in lieu thereof (*Effective July 1, 2023*):

3711 [(1)] (a) The Police Officer Standards and Training Council
3712 established under section 7-294b, in conjunction with the office of the
3713 Chief State's Attorney and the Connecticut Police Chiefs Association,
3714 and [(2)] the Division of State Police within the Department of
3715 Emergency Services and Public Protection, in conjunction with the office
3716 of the Chief State's Attorney, shall provide instruction on the subject of
3717 new legal developments which affect police policies and practices
3718 concerning the investigation, detection and prosecution of criminal
3719 matters, each year to the chief law enforcement officer of each
3720 municipality and any person designated by such officer to serve in such
3721 capacity in such officer's absence. Each such officer may be given credit
3722 for such course of instruction toward the certified review training
3723 required by subsection (a) of section 7-294d. Such training program shall
3724 be named "The John M. Bailey Seminar on New Legal Developments
3725 Impacting Police Policies and Practices".

3726 (b) Not later than October 31, 2023, and annually thereafter if
3727 necessary, the Division of Criminal Justice and the Police Officer

3728 Standards and Training Council established under section 7-294b shall
3729 include in each course of instruction provided pursuant to subsection
3730 (a) of this section a session regarding investigation and enforcement
3731 standards concerning cannabis, as defined in section 22-61l, as amended
3732 by this act, and high-THC hemp products, as defined in section 21a-240,
3733 as amended by this act.

3734 Sec. 50. Section 38a-492 of the general statutes is repealed and the
3735 following is substituted in lieu thereof (*Effective July 1, 2023*):

3736 No individual health insurance policy providing coverage of the type
3737 specified in subdivisions (1), (2), (4), (6), (10) and (11) of section 38a-469
3738 shall be delivered, issued for delivery or renewed in this state, or
3739 amended to substantially alter or change benefits or coverage, on or
3740 after July 1, 1975, unless persons covered under such policy will be
3741 eligible for benefits for expenses of emergency medical care arising from
3742 accidental ingestion or consumption of a controlled drug, as defined by
3743 [subdivision (8) of] section 21a-240, as amended by this act, which are at
3744 least equal to the following minimum requirements: (1) In the case of
3745 benefits based upon confinement as an inpatient in a hospital, whether
3746 or not operated by the state, the period of confinement for which
3747 benefits shall be payable shall be at least thirty days in any calendar
3748 year. (2) For covered expenses incurred by the insured while other than
3749 an inpatient in a hospital, benefits shall be available for such expenses
3750 during any calendar year up to a maximum of five hundred dollars. For
3751 purposes of this section, the term "covered expenses" means the
3752 reasonable charges for treatment deemed necessary under generally
3753 accepted medical standards.

3754 Sec. 51. Section 38a-518 of the general statutes is repealed and the
3755 following is substituted in lieu thereof (*Effective July 1, 2023*):

3756 No group health insurance policy providing coverage of the type
3757 specified in subdivisions (1), (2), (4), (6) and (11) of section 38a-469 shall
3758 be delivered, issued for delivery or renewed in this state, or amended to
3759 substantially alter or change benefits or coverage, on or after July 1, 1975,

3760 unless persons covered under such policy will be eligible for benefits for
3761 expenses of emergency medical care arising from accidental ingestion
3762 or consumption of a controlled drug, as defined by [subdivision (8) of]
3763 section 21a-240, as amended by this act, which are at least equal to the
3764 following minimum requirements: (1) In the case of benefits based upon
3765 confinement as an inpatient in a hospital, whether or not operated by
3766 the state, the period of confinement for which benefits shall be payable
3767 shall be at least thirty days in any calendar year. (2) For covered
3768 expenses incurred by the insured while other than an inpatient in a
3769 hospital, benefits shall be available for such expenses during any
3770 calendar year up to a maximum of five hundred dollars. For purposes
3771 of this section, the term "covered expenses" means the reasonable
3772 charges for treatment deemed necessary under generally accepted
3773 medical standards.

3774 Sec. 52. (NEW) (*Effective from passage*) (a) For the purposes of this
3775 section:

3776 (1) "Caregiver" has the same meaning as provided in section 21a-408
3777 of the general statutes, as amended by this act;

3778 (2) "Marijuana" has the same meaning as provided in section 21a-240
3779 of the general statutes, as amended by this act;

3780 (3) "Palliative use" has the same meaning as provided in section 21a-
3781 408 of the general statutes, as amended by this act; and

3782 (4) "Qualifying patient" has the same meaning as provided in section
3783 21a-408 of the general statutes, as amended by this act.

3784 (b) There is established, within available appropriations, an Office of
3785 the Cannabis Ombudsman, which shall be within the Office of the
3786 Healthcare Advocate for administrative purposes only. The Office of the
3787 Cannabis Ombudsman shall be under the direction of a Cannabis
3788 Ombudsman. The Healthcare Advocate shall appoint an individual
3789 who is familiar with the palliative use of marijuana and the medical
3790 cannabis system to serve as the Cannabis Ombudsman.

- 3791 (c) The Office of the Cannabis Ombudsman shall:
- 3792 (1) Represent the interests of qualifying patients and caregivers;
- 3793 (2) Identify, investigate and resolve complaints made by, or on behalf
3794 of, qualifying patients and caregivers;
- 3795 (3) Monitor the palliative use of marijuana as authorized under
3796 chapter 420f of the general statutes;
- 3797 (4) Report action, inaction or decisions that may adversely affect the
3798 health, safety, welfare or rights of qualifying patients;
- 3799 (5) Analyze, comment on and monitor the development and
3800 implementation of federal, state and local laws, regulations and other
3801 government policies and actions concerning the health, safety, welfare
3802 and rights of qualifying patients and caregivers;
- 3803 (6) Recommend any changes to the laws, regulations, policies and
3804 actions described in subdivision (5) of this subsection that the office
3805 deems appropriate to, among other things, improve the palliative
3806 marijuana market in this state; and
- 3807 (7) Facilitate public comment on the laws, regulations, policies and
3808 actions described in subdivision (5) of this subsection.

3809 Sec. 53. Subdivision (6) of subsection (a) of section 53a-18 of the
3810 general statutes is repealed and the following is substituted in lieu
3811 thereof (*Effective July 1, 2023*):

- 3812 (6) A teacher or other person entrusted with the care and supervision
3813 of a minor for school purposes may use reasonable physical force upon
3814 such minor when and to the extent such teacher or other person
3815 reasonably believes such force to be necessary to (A) protect [himself or
3816 herself] such teacher, other person or others from immediate physical
3817 injury, (B) obtain possession of a dangerous instrument or controlled
3818 substance, as defined in [subdivision (9) of] section 21a-240, as amended
3819 by this act, upon or within the control of such minor, (C) protect

3820 property from physical damage, or (D) restrain such minor or remove
3821 such minor to another area, to maintain order.

3822 Sec. 54. Subsections (c) to (g), inclusive, of section 54-36a of the
3823 general statutes are repealed and the following is substituted in lieu
3824 thereof (*Effective July 1, 2023*):

3825 (c) Unless such seized property is stolen property and is ordered
3826 returned pursuant to subsection (b) of this section or unless such seized
3827 property is adjudicated a nuisance in accordance with section 54-33g, or
3828 unless the court finds that such property shall be forfeited or is
3829 contraband, or finds that such property is a controlled drug [, a] or
3830 controlled substance as defined in section 21a-240, as amended by this
3831 act, or drug paraphernalia as defined in subdivision [(8), (9) or] (20) of
3832 section 21a-240, as amended by this act, it shall, at the final disposition
3833 of the criminal action or as soon thereafter as is practical, or, if there is
3834 no criminal action, at any time upon motion of the prosecuting official
3835 of such court, order the return of such property to its owner within six
3836 months upon proper claim therefor.

3837 (d) When the court orders the return of the seized property to the
3838 owner, the order shall provide that if the seized property is not claimed
3839 by the owner within six months, the property shall be destroyed or be
3840 given to a charitable or educational institution or to a governmental
3841 agency or institution, except that (1) if such property is money it shall
3842 be remitted to the state and shall be deposited in the General Fund or
3843 (2) if such property is a valuable prize it shall be disposed of by public
3844 auction or private sale in which case the proceeds shall become the
3845 property of the state and shall be deposited in the General Fund;
3846 provided any person who has a bona fide mortgage, assignment of lease
3847 or rent, lien or security interest in such property shall have the same
3848 right to the proceeds as [he] such person had in the property prior to the
3849 sale.

3850 (e) If such seized property is adjudicated a nuisance or if the court
3851 finds that such property shall be forfeited or is contraband other than a

3852 controlled drug [, a] or controlled substance as defined in section 21a-
3853 240, as amended by this act, or drug paraphernalia as defined in
3854 subdivision [(8), (9) or] (20) of section 21a-240, as amended by this act,
3855 the court shall order that such property be destroyed or be given to a
3856 charitable or educational institution or to a governmental agency or
3857 institution, except that (1) if such property is money, the court shall
3858 order that it be remitted to the state and be deposited in the General
3859 Fund, or (2) if such property is a valuable prize, the court shall order
3860 that it be disposed of by public auction or private sale in which case the
3861 proceeds shall become the property of the state and shall be deposited
3862 in the General Fund; provided any person who has a bona fide
3863 mortgage, assignment of lease or rent, lien or security interest in such
3864 property shall have the same right to the proceeds as [he] such person
3865 had in the property prior to sale.

3866 (f) If the court finds that such seized property is fireworks as defined
3867 in section 29-356, the court shall order the forfeiture and destruction of
3868 such property. Any secondary evidence of the identity, description or
3869 value of such property shall be admissible in evidence against the
3870 defendant in the trial of the case. A photograph of the fireworks and a
3871 sworn affidavit describing such fireworks shall be sufficient evidence of
3872 the identity of the fireworks. The fact that the evidence is secondary in
3873 nature may be shown to affect the weight of such evidence, but not to
3874 affect its admissibility.

3875 (g) If the court finds that such seized property is a controlled drug [,
3876 a] or controlled substance as defined in section 21a-240, as amended by
3877 this act, or drug paraphernalia as defined in subdivision [(8), (9) or] (20)
3878 of section 21a-240, as amended by this act, the court shall order the
3879 forfeiture and destruction of such property or order it delivered to the
3880 Commissioner of Consumer Protection pursuant to section 54-36g, as
3881 amended by this act.

3882 Sec. 55. Subsection (a) of section 54-36g of the general statutes is
3883 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3884 *2023*):

3885 (a) At any time after the seizure of a controlled drug or a controlled
3886 substance [,] as defined in [subdivision (8) or (9) of] section 21a-240, as
3887 amended by this act, or drug paraphernalia [,] as defined in subdivision
3888 (20) of section 21a-240, as amended by this act, in connection with a
3889 criminal arrest or pursuant to a search warrant without an arrest, the
3890 prosecuting official of the court for the geographical area in which the
3891 criminal offense is alleged to have been committed may petition the
3892 court for destruction of such controlled drug, controlled substance or
3893 drug paraphernalia. After notice, by certified or registered mail to the
3894 defendant and [his] the defendant's attorney, and hearing on the
3895 petition, the court may order the forfeiture and destruction of such
3896 controlled drug, controlled substance or drug paraphernalia, under
3897 procedures and to the extent determined by the court, or order it
3898 delivered to the Commissioner of Consumer Protection as soon as
3899 possible. Such order shall be in writing and shall provide for the analysis
3900 of representative samples of such controlled drug, controlled substance
3901 or drug paraphernalia. The results of such analysis shall be recorded on
3902 a certificate signed by the person making the analysis, witnessed and
3903 acknowledged pursuant to section 1-29. Such certificate shall be prima
3904 facie evidence of the composition and quality of such controlled drug,
3905 controlled substance or drug paraphernalia.

3906 Sec. 56. Subdivision (1) of subsection (a) of section 54-36h of the
3907 general statutes is repealed and the following is substituted in lieu
3908 thereof (*Effective July 1, 2023*):

3909 (1) All moneys used, or intended for use, in the procurement,
3910 manufacture, compounding, processing, delivery or distribution of any
3911 controlled substance, as defined in [subdivision (9) of] section 21a-240,
3912 as amended by this act;

3913 Sec. 57. (*Effective from passage*) (a) There is established a task force to
3914 study the potential health, safety and financial impact of allowing
3915 individuals who are authorized to cultivate cannabis in their residences
3916 to sell, at retail, such cannabis at events organized, at least in part, to
3917 facilitate such sales. The task force shall (1) examine the impact that such

3918 sales would likely have on this state, including, but not limited to, the
3919 impact that such sales would likely have on residents of this state and
3920 the state's existing medical and recreational cannabis markets, and (2) if
3921 the task force recommends that the state authorize such sales,
3922 recommend any legislation necessary to authorize and regulate such
3923 sales.

3924 (b) The task force shall consist of the following members:

3925 (1) Two appointed by the speaker of the House of Representatives;

3926 (2) Two appointed by the president pro tempore of the Senate;

3927 (3) One appointed by the majority leader of the House of
3928 Representatives;

3929 (4) One appointed by the majority leader of the Senate;

3930 (5) One appointed by the minority leader of the House of
3931 Representatives;

3932 (6) One appointed by the minority leader of the Senate;

3933 (7) The Commissioner of Consumer Protection, or the commissioner's
3934 designee;

3935 (8) The Commissioner of Public Health, or the commissioner's
3936 designee;

3937 (9) The Commissioner of Mental Health and Addiction Services, or
3938 the commissioner's designee; and

3939 (10) Two appointed by the Governor.

3940 (c) Any member of the task force appointed under subdivision (1),
3941 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
3942 of the General Assembly.

3943 (d) All initial appointments to the task force shall be made not later

3944 than thirty days after the effective date of this section. Any vacancy shall
 3945 be filled by the appointing authority.

3946 (e) The speaker of the House of Representatives and the president pro
 3947 tempore of the Senate shall select the chairpersons of the task force from
 3948 among the members of the task force. Such chairpersons shall schedule
 3949 the first meeting of the task force, which shall be held not later than sixty
 3950 days after the effective date of this section.

3951 (f) The administrative staff of the joint standing committee of the
 3952 General Assembly having cognizance of matters relating to consumer
 3953 protection shall serve as administrative staff of the task force.

3954 (g) Not later than January 1, 2024, the task force shall submit a report
 3955 on its findings and recommendations to the joint standing committee of
 3956 the General Assembly having cognizance of matters relating to
 3957 consumer protection, in accordance with the provisions of section 11-4a
 3958 of the general statutes. The task force shall terminate on the date that it
 3959 submits such report or January 1, 2024, whichever is later."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	21a-240
Sec. 2	July 1, 2023	10-19(a)
Sec. 3	July 1, 2023	10-220a(a)
Sec. 4	July 1, 2023	10-221(e)
Sec. 5	July 1, 2023	10-233d(a) to (e)
Sec. 6	July 1, 2023	10a-18
Sec. 7	July 1, 2023	10a-55c(a)(4)
Sec. 8	July 1, 2023	20-34(b)
Sec. 9	July 1, 2023	21a-245
Sec. 10	July 1, 2023	21a-248(a)
Sec. 11	July 1, 2023	21a-267(a)
Sec. 12	July 1, 2023	21a-279(c)
Sec. 13	July 1, 2023	21a-281
Sec. 14	July 1, 2023	21a-408
Sec. 15	July 1, 2023	21a-408b(a)
Sec. 16	July 1, 2023	21a-408h

Sec. 17	July 1, 2023	21a-408j(a)
Sec. 18	July 1, 2023	21a-408k
Sec. 19	July 1, 2023	21a-408r(a) to (d)
Sec. 20	July 1, 2023	21a-408s
Sec. 21	July 1, 2023	21a-408u
Sec. 22	July 1, 2023	21a-420
Sec. 23	July 1, 2023	New section
Sec. 24	July 1, 2023	21a-420d(i) to (k)
Sec. 25	from passage	21a-420e
Sec. 26	July 1, 2023	21a-420e(c)
Sec. 27	July 1, 2023	21a-420f(d)
Sec. 28	from passage	21a-420g
Sec. 29	July 1, 2023	21a-420j(e)
Sec. 30	July 1, 2023	21a-420l(d)
Sec. 31	July 1, 2023	21a-420m(b) to (f)
Sec. 32	July 1, 2023	21a-420n(d)
Sec. 33	July 1, 2023	21a-420p(e)
Sec. 34	July 1, 2023	21a-420r(b)
Sec. 35	July 1, 2023	21a-420s(b)
Sec. 36	July 1, 2023	21a-420u(b) to (f)
Sec. 37	July 1, 2023	21a-420w
Sec. 38	July 1, 2023	21a-420x
Sec. 39	July 1, 2023	21a-420y(b)
Sec. 40	July 1, 2023	21a-420z
Sec. 41	July 1, 2023	21a-421a(a)
Sec. 42	July 1, 2023	21a-421b
Sec. 43	July 1, 2023	21a-421d
Sec. 44	July 1, 2023	21a-421j
Sec. 45	July 1, 2023	21a-421p
Sec. 46	July 1, 2023	21a-421bb(a) to (d)
Sec. 47	July 1, 2023	22-61l
Sec. 48	July 1, 2023	22-61m
Sec. 49	July 1, 2023	7-294m
Sec. 50	July 1, 2023	38a-492
Sec. 51	July 1, 2023	38a-518
Sec. 52	from passage	New section
Sec. 53	July 1, 2023	53a-18(a)(6)
Sec. 54	July 1, 2023	54-36a(c) to (g)
Sec. 55	July 1, 2023	54-36g(a)
Sec. 56	July 1, 2023	54-36h(a)(1)

Sec. 57	<i>from passage</i>	New section
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