

## SENATE BILL No. 628

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 24-4-21.

**Synopsis:** THC analysis of CBD products. Requires a person who distributes low THC hemp extract to provide a copy of the certificate of analysis to each retailer in Indiana that purchases the extract. Requires a person who sells low THC hemp extract to display the certificate of analysis for each low THC hemp extract product. Provides that a violation of these requirements is a Class B infraction, or a Class A infraction if there is a prior unrelated judgment.

**Effective:** July 1, 2019.

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January 15, 2019, read first time and referred to Committee on Corrections and Criminal Law.

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First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## SENATE BILL No. 628

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 24-4-21-3, AS ADDED BY P.L.153-2018,  
2       SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2019]: Sec. 3. (a) Except as provided in subsection (b), a  
4       person may distribute low THC hemp extract in Indiana only if the  
5       distributor has a certificate of analysis prepared by an independent  
6       testing laboratory showing that:

7               (1) the low THC hemp extract is the product of a batch tested by  
8               the independent testing laboratory; and

9               (2) the independent testing laboratory determined that the batch  
10              contained not more than three-tenths percent (0.3%) total  
11              delta-9-tetrahydrocannabinol (THC), including precursors, by  
12              weight, based on the testing of a random sample of the batch.

13       (b) Before July 1, 2018, a person may distribute low THC hemp  
14       extract in Indiana without having met the requirements described in  
15       subsection (a).

16       (c) **A person who distributes low THC hemp extract shall**  
17       **provide a copy of the certificate of analysis described in subsection**



(a) to each retailer in Indiana that purchases the low THC hemp extract.

(d) A person who sells low THC hemp extract must display the certificate of analysis for each low THC hemp extract product in the general area where low THC hemp extract products are sold.

SECTION 2. IC 24-4-21-4, AS ADDED BY P.L.153-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) Except as provided in subsection (b), low THC hemp extract must be distributed in packaging that contains the following information:

(1) A scannable bar code or QR code linked to a document that contains information with respect to the manufacture of the low THC hemp extract, including the:

(A) batch identification number;

(B) product name;

(C) batch date;

(D) expiration date, which must be not more than two (2) years from the date of manufacture;

(E) batch size;

(F) total quantity produced;

(G) ingredients used, including the:

(i) ingredient name;

(ii) name of the company that manufactured the ingredient;

(iii) company or product identification number or code, if applicable; and

(iv) ingredient lot number; and

(H) download link for a certificate of analysis for the low THC hemp extract.

(2) The batch number.

(3) The Internet address of a web site to obtain batch information.

(4) The expiration date.

(5) The number of milligrams of low THC hemp extract.

(6) The manufacturer.

(7) The fact that the product contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC), including precursors, by weight.

**(8) The certificate of analysis described in section 3(a) of this chapter.**

(b) Before July 1, 2018, low THC hemp extract may be distributed in Indiana without having met the requirements described in subsection (a).

SECTION 3. IC 24-4-21-5, AS ADDED BY P.L.153-2018,



1 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2019]: Sec. 5. ~~(a) This section~~ **subsection** applies after June  
3 30, 2018. A person who distributes low THC hemp extract in violation  
4 of this chapter commits a Class B infraction. However, the offense is  
5 a Class A infraction if the person has a prior unrelated judgment for a  
6 violation of this chapter. These penalties are in addition to any criminal  
7 penalties that may be imposed for unlawful possession or distribution  
8 of a controlled substance.

9 **(b) This subsection applies after June 30, 2019. A person who**  
10 **knowingly or intentionally violates section 3 or 4 of this chapter**  
11 **commits a Class B infraction. However, the offense is a Class A**  
12 **infraction if the person has a prior unrelated judgment for a**  
13 **violation of this chapter.**

