

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 916, Page 1, Section A, Line 3, by  
2 inserting after all of said section and line the following:

3  
4 "195.2550. 1. Sections 195.2550 to 195.2585 shall be known and may be cited as the  
5 "Missouri Hemp Consumer Protection Act".

6 2. As used in sections 195.2550 to 195.2585, unless the context otherwise requires, the  
7 following terms mean:

8 (1) "Counter", the point of purchase at a retail establishment;

9 (2) "Division", the division of alcohol and tobacco control of the department of public  
10 safety;

11 (3) "Hemp", the plant Cannabis sativa L. and any part of that plant, including the seeds  
12 thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers,  
13 whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-  
14 tenths of one percent on a dry-weight basis;

15 (4) "Hemp-derived cannabinoid", any naturally occurring cannabinoid derived from a  
16 compound found in hemp including, but not limited to, delta-9 tetrahydrocannabinol (delta-9 THC),  
17 tetrahydrocannabinolic acid (THCA), cannabidiol (CBD), cannabidiolic acid (CBDA), cannabinol  
18 (CBN), cannabigerol (CBG), cannabichromene (CBC), cannabicyclol (CBL), cannabivarin (CBV),  
19 tetrahydrocannabivarin (THCV), cannabidivarin (CBDV), cannabicitran (CBT), delta-7  
20 tetrahydrocannabinol (delta-7 THC), delta-8 tetrahydrocannabinol (delta-8 THC), delta-10  
21 tetrahydrocannabinol (delta-10 THC), or hexahydrocannabinol (HHC);

22 (5) "Hemp-derived consumable beverage product", a hemp-derived consumable product that  
23 is a liquid intended for ingestion and that is not a tincture;

24 (6) "Hemp-derived consumable product", a finished good that is intended for human  
25 ingestion or inhalation, that contains at least one hemp-derived cannabinoid, and that does not  
26 contain a delta-9 THC concentration of more than three-tenths of one percent on a dry-weight basis  
27 but may contain concentrations of other hemp-derived cannabinoids in excess of such amount. The  
28 term "hemp-derived consumable product" shall not include any hemp product intended for topical  
29 application or any hemp seeds or hemp-seed-derived ingredients that are generally recognized as  
30 safe by the United States Food and Drug Administration;

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1       (7) "Ingestion", the process of consuming a hemp-derived consumable product through the  
2 mouth by swallowing into the gastrointestinal system;

3       (8) "Inhalation", the process of consuming a hemp-derived consumable product through the  
4 respiratory system via the mouth or nasal passageway;

5       (9) "Manufacture", to compound, blend, extract, infuse, cook, or otherwise make or prepare  
6 products containing a hemp-derived cannabinoid, including the processes of extraction, infusion,  
7 packaging, repackaging, labeling, and relabeling of products containing a hemp-derived  
8 cannabinoid;

9       (10) "Manufacturer", any person who engages in the process of manufacturing, preparing, or  
10 packaging hemp-derived consumable products;

11       (11) "Proof of age", a valid driver's license or other government-issued identification card  
12 that contains a photograph of the person and confirms the person's age as twenty-one years of age or  
13 older;

14       (12) "Retail establishment", a place of business open to the general public for the sale of  
15 goods or services;

16       (13) "Retailer", a person or entity that sells hemp-derived consumable products for  
17 consumption and not for resale;

18       (14) "Serving", a quantity of a hemp-derived consumable product recommended for  
19 consumption at a single time as indicated on the packaging as a single piece, that is easily identified  
20 as breakable by indent, or that is measurable by fluid ounce;

21       (15) "Tincture", a hemp-derived consumable product that is in the form of liquid, that is not  
22 a beverage or intended for drinking but that is intended for human consumption, and that contains  
23 hemp suspended in a consumable base liquid.

24       195.2555. 1. A person shall not knowingly:

25       (1) Sell or distribute a hemp-derived consumable product to a person who is under twenty-  
26 one years of age;

27       (2) Purchase a hemp-derived consumable product on behalf of a person who is under  
28 twenty-one years of age;

29       (3) Persuade, entice, send, or assist a person who is under twenty-one years of age to  
30 purchase, acquire, receive, or attempt to purchase a hemp-derived consumable product; or

31       (4) Sell or distribute a hemp-derived consumable product without having first obtained  
32 proof of age from the prospective purchaser or recipient unless an ordinary person would conclude  
33 on the basis of appearance that the prospective purchaser or recipient is not under twenty-one years  
34 of age.

35       2. (1) A person under twenty-one years of age shall not knowingly:

36       (a) Purchase or accept receipt of a hemp-derived consumable product; or

37       (b) Present purported proof of age that is false or fraudulent or that does not actually  
38 identify the person for the purpose of purchasing or receiving a hemp-derived consumable product.

1       (2) Notwithstanding the provisions of subdivision (1) of this subsection to the contrary, it  
2 shall be lawful, and shall not constitute a violation of this section, for a person under twenty-one  
3 years of age to purchase, accept receipt of, possess, consume, or use a hemp-derived consumable  
4 product if the person is eighteen years of age or older and a veteran, as defined in section 42.002.  
5 Any activity prohibited under this section based on age shall be lawful if the person under twenty-  
6 one years of age meets the criteria set forth in this subdivision and the seller or distributor of the  
7 hemp-derived consumable product obtains proof of the person's veteran status.

8       3. With the exception of any hemp-derived consumable beverage product that does not  
9 contain more than ten milligrams per single serving of delta-8 THC, delta-9 THC, or delta-10 THC,  
10 or any combination thereof, a retailer or retail establishment shall maintain any hemp-derived  
11 consumable product on or behind the counter, in a locked cabinet, or in an area or retail  
12 establishment restricted to adults twenty-one years of age or older. Any hemp-derived consumable  
13 beverage product, including those in cases or boxes, offered for retail sale shall be merchandised in  
14 a manner that clearly indicates to consumers, by way of signage, shelf-talkers, stickers, or other  
15 comparable means, that the product contains hemp-derived cannabinoids and is for sale only to  
16 persons twenty-one years of age or older.

17       4. Any person who violates any provision of this section shall be subject to a fine not to  
18 exceed two hundred fifty dollars for a first violation, to be paid into the state school moneys fund  
19 established under section 166.051 as provided by law for other fines and penalties. The penalty for  
20 any second or subsequent violation shall be a class C misdemeanor.

21       5. The division shall enforce sections 195.2550 to 195.2585 in a manner that may  
22 reasonably be expected to reduce the extent to which hemp-derived consumable products are sold or  
23 distributed to persons under twenty-one years of age and may conduct inspections at locations where  
24 such products are sold or distributed to ensure compliance with sections 195.2550 to 195.2585.

25       195.2585. 1. A retailer or manufacturer of a hemp-derived consumable product shall not  
26 advertise, market, or offer for sale a hemp-derived consumable product by using any trade dress,  
27 trademark, branding, or related imagery or scenery that is prohibited under this section in the  
28 labeling or design of the product or product packaging or in advertising or marketing materials for  
29 the product.

30       2. Any trade dress, trademark, branding, or related imagery or scenery used for any activity  
31 described in this section shall not depict or signify characters or symbols known to appeal primarily  
32 to minors.

33       3. Nothing in this section prohibits the use of drawings, illustrations, or artwork depicting  
34 nonmythical creatures, inanimate objects, scenery, humanoid characters, fruit- or flavor-focused  
35 images, or any other items not known to appeal primarily to minors."; and

36  
37 Further amend said bill by amending the title, enacting clause, and intersectional references  
38 accordingly.