

FIRST REGULAR SESSION

HOUSE BILL NO. 593

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PERKINS.

1695H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

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

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

Section A. Chapter 195, RSMo, is amended by adding thereto one new section, to be known as section 195.900, to read as follows:

195.900. 1. This section shall be known and may be cited as the "Intoxicating Cannabinoid Control Act".

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

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

(2) "CBD", cannabidiol, a nonintoxicating cannabinoid found in cannabis and hemp;

(3) "Department", the department of health and senior services;

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

(5) "Intoxicating cannabinoid":

(a) Any cannabinoid, however derived or created, that has an intoxicating effect when consumed or otherwise ingested, regardless of whether the cannabinoid was created or developed through natural means or through chemical conversion, isomerization, synthetic derivation, heat, or any other process by which molecules

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

18 may be manipulated including, but not limited to, tetrahydrocannabinolic acid (THCA);
19 or

20 (b) Any cannabinoid, semisynthetic or synthetic cannabinoid, or precursor to an
21 intoxicating cannabinoid that may become intoxicating when heated, decarboxylated, or
22 otherwise manipulated, excluding, without limitation, CBD.

23

24 The term "intoxicating cannabinoid" shall be construed to conform to, and be included
25 in, the definition of "marijuana" under Article XIV of the Constitution of Missouri but
26 shall not be construed to conform to or be included in the definition of "hemp" in this
27 section or in the definition of "industrial hemp" in section 195.010;

28 (6) "Intoxicating cannabinoid product", any product containing an intoxicating
29 cannabinoid;

30 (7) "Marijuana", the same meaning given to the term in Article XIV of the
31 Constitution of Missouri. The term "marijuana" shall not be construed to conform to
32 or be included in the definition of "hemp" in this section.

33 3. Hemp, industrial hemp, and hemp-derived products that do not contain
34 intoxicating cannabinoids shall not be considered marijuana and shall not be subject to
35 the legal framework contained in Article XIV of the Constitution of Missouri. Nothing
36 in this section shall be interpreted to regulate hemp, industrial hemp, or products that
37 do not contain intoxicating cannabinoids, and the provisions of this section shall not be
38 interpreted in a manner that would conflict with or otherwise preempt the Agriculture
39 Improvement Act of 2018, Pub. L. 115-334.

40 4. Nothing in this section prohibits the interstate commerce of hemp or the
41 transportation or shipment of hemp through this state.

42 5. Notwithstanding any provision of law to the contrary, all intoxicating
43 cannabinoid products are marijuana and shall be regulated by the department in the
44 same manner as the department regulates marijuana under Article XIV of the
45 Constitution of Missouri including, but not limited to, requiring intoxicating
46 cannabinoid products to be subject to the same growing, manufacturing, dispensing,
47 transportation, advertising, marketing, testing, packaging, and labeling requirements as
48 marijuana and requiring all intoxicating cannabinoid products to be cultivated,
49 manufactured, and sold only at a licensed comprehensive facility, medical facility, or
50 marijuana microbusiness facility, as such terms are defined in Article XIV of the
51 Constitution of Missouri. The department shall regulate all intoxicating cannabinoid
52 products consistent with, and in addition to, other natural marijuana products in
53 accordance with its constitutionally mandated requirement to regulate marijuana
54 within the framework of Article XIV of the Constitution of Missouri.

55 **6. No person or entity other than a comprehensive marijuana dispensary facility,**
56 **medical marijuana dispensary facility, or microbusiness dispensary facility licensed**
57 **under Article XIV of the Constitution of Missouri shall carry on, conduct, or transact a**
58 **business under a name that contains as part of the name the word "dispensary" or any**
59 **word of similar or like import.**

60 **7. The department shall collaborate with the department of public safety and all**
61 **other pertinent law enforcement agencies in this state to ensure the provisions of this**
62 **section are enforced.**

63 **8. The department shall promulgate all rules and regulations necessary to**
64 **implement the provisions of this section. The department and the department of public**
65 **safety shall actively and aggressively enforce the provisions of this section and all**
66 **department rules and regulations promulgated under this section. Any rule or portion**
67 **of a rule, as that term is defined in section 536.010, that is created under the authority**
68 **delegated in this section shall become effective only if it complies with and is subject to**
69 **all of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
70 **chapter 536 are nonseverable and if any of the powers vested with the general assembly**
71 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
72 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
73 **and any rule proposed or adopted after August 28, 2025, shall be invalid and void.**

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