

FIRST REGULAR SESSION

HOUSE BILL NO. 1328

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ALLEN.

2106H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapters 144 and 407, RSMo, by adding thereto seventeen new sections relating to hemp products, with penalty provisions.

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

Section A. Chapters 144 and 407, RSMo, are amended by adding thereto seventeen
2 new sections, to be known as sections 144.028, 407.3070, 407.3073, 407.3076, 407.3079,
3 407.3082, 407.3085, 407.3088, 407.3091, 407.3094, 407.3097, 407.3100, 407.3103,
4 407.3106, 407.3109, 407.3112, and 407.3115, to read as follows:

**144.028. 1. As used in this section, the term "intoxicating hemp product" shall
2 have the same meaning given to the term in section 407.3070.**

**3 2. For all tax years beginning on or after January 1, 2026, an excise tax is hereby
4 levied and imposed upon the retail sale of intoxicating hemp products to consumers
5 within this state. The rate of tax shall be two and one-fourth percent of the retail
6 purchase price paid or charged.**

**7 3. The portion of the revenue derived from the tax levied under this section that
8 represents revenue from a tax rate of one-fourth of one percent shall be deposited by the
9 department of revenue into the hemp business fund established under section 407.3076.**

**10 4. The portion of the revenue derived from the tax levied under this section that
11 represents revenue from a tax rate of two percent shall be deposited by the department
12 of revenue into the Missouri hemp development fund established under section
13 407.3091.**

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.

14 **5. The tax levied under this section is separate from and in addition to any**
15 **general state and local sales and use taxes that apply to retail sales, which shall continue**
16 **to be collected and distributed as provided by law.**

17 **6. Counties, municipalities, and any other political subdivisions shall not impose**
18 **additional taxes or fees on intoxicating hemp products beyond the taxes authorized**
19 **under this section.**

407.3070. 1. Sections 407.3070 to 407.3115 shall be known and may be cited as
2 **the "Fair, Practical, and Responsible Hemp Regulations Act".**

3 **2. As used in sections 407.3070 to 407.3115, unless the context otherwise requires,**
4 **the following terms mean:**

5 **(1) "Batch", a single stock-keeping unit that has a common cannabinoid input or**
6 **a hemp flower of the same varietal and harvested on the same date and that is**
7 **manufactured during a defined cycle in such a way that it could be expected to be of a**
8 **uniform character;**

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

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

15 **(4) "Hemp-derived cannabinoid", any cannabinoid, or isomer derived from the**
16 **cannabinoid, that is derived from hemp including, but not limited to, the following:**

17 **(a) Delta-9 tetrahydrocannabinol (delta-9 THC);**

18 **(b) Delta-8 tetrahydrocannabinol (delta-8 THC);**

19 **(c) Delta-10 tetrahydrocannabinol (delta-10 THC);**

20 **(d) Hexahydrocannabinol;**

21 **(e) Tetrahydrocannabinol acetate ester (THCO);**

22 **(f) Tetrahydrocannabiphorol (THCP);**

23 **(g) Tetrahydrocannabivarin (THCV); and**

24 **(h) Tetrahydrocannabinolic acid (THCA);**

25 **(5) "Hemp product", any product in which:**

26 **(a) At least one hemp-derived cannabinoid is contained in the product;**

27 **(b) Any cannabinoid, or isomer derived from the cannabinoid, contained in the**
28 **product is a hemp-derived cannabinoid; and**

29 **(c) Either:**

30 **a. If the product does not contain delta-9 THC, the product contains at least one**
31 **hemp-derived cannabinoid in a concentration of more than one-tenth of one percent; or**

32 **b. If the product contains delta-9 THC, the concentration of the delta-9 THC**
33 **does not exceed three-tenths of one percent on a dry-weight basis;**

34 **(6) "Intoxicating hemp product", any hemp product that does not qualify as a**
35 **nonintoxicating hemp product;**

36 **(7) "License", a license issued by the division to a manufacturer or retailer**
37 **under section 407.3073;**

38 **(8) "Manufacturer", a person or entity that processes raw hemp materials into**
39 **hemp products for consumption or sale;**

40 **(9) "Nonintoxicating hemp product", any hemp product that, even if it contains**
41 **a hemp-derived cannabinoid known to produce intoxicating effects, is not formulated or**
42 **marketed as a product intended to produce euphoria, inebriation, or other similar**
43 **effects in the consumer; that is designed for therapeutic, nutritional, or wellness**
44 **purposes; and that is not intended to impair cognitive or motor functions in the**
45 **consumer. The term "nonintoxicating hemp product" shall include, but not be limited**
46 **to, the following:**

47 **(a) Any hemp product that does not contain any hemp-derived cannabinoid**
48 **other than:**

49 **a. Cannabichromene (CBC), including cannabichromene acid (CBCA) or**
50 **cannabichromevarin (CBCV);**

51 **b. Cannabicitran (CBT), including cannabitrilic acid (CBTA);**

52 **c. Cannabicyclol (CBL), including cannabicyclolic acid (CBLA);**

53 **d. Cannabidiol (CBD), including cannabidiolic acid (CBDA), cannabidivarin**
54 **(CBDV), or cannabidiphorol (CBDP);**

55 **e. Cannabielsoin (CBE), including cannabielsoic acid (CBEA);**

56 **f. Cannabigerol (CBG), including cannabigerolic acid (CBGA),**
57 **cannabigerovarin (CBGV), or cannabigerol monomethyl ether (CBGM);**

58 **g. Cannabinol (CBN), including cannabinolic acid (CBNA); or**

59 **h. Cannabivarin (CBV), including cannabivarinic acid (CBVA);**

60 **(b) Any hemp-derived animal feed product;**

61 **(c) Any hemp-derived fiber, grain, or topical product; and**

62 **(d) Any full-spectrum cannabidiol (CBD) product in which CBD constitutes at**
63 **least eighty percent of the total cannabinoid content and delta-9 THC does not exceed**
64 **three-tenths of one percent on a dry-weight basis;**

65 **(10) "Proof of age", a valid driver's license or government-issued identification**
66 **confirming a person's age as twenty-one years of age or older;**

67 **(11) "Retailer", a person or entity that sells hemp products to consumers for**
68 **personal use and not for resale.**

2 **407.3073. 1. A person or entity shall not manufacture intoxicating hemp**
3 **products unless the person or entity holds a manufacturing license issued by the division**
4 **under this section.**

5 **2. A person or entity shall not sell intoxicating hemp products unless the person**
6 **or entity holds a retail license issued by the division under this section for each location**
7 **at which the retailer sells intoxicating hemp products.**

8 **3. Any holder of a license issued under this section shall pay an annual licensing**
9 **fee of:**

10 **(1) For manufacturers, two hundred fifty dollars; and**

11 **(2) For retailers, one hundred dollars per location.**

12 **4. All fees payable under this section shall be collected by the division and**
13 **transmitted to the department of revenue for deposit in the state treasury to the credit of**
14 **the hemp business fund established under section 407.3076.**

15 **5. An applicant for a license shall submit:**

16 **(1) The annual licensing fee;**

17 **(2) For a manufacturer, proof of compliance with product safety, testing, and**
18 **labeling requirements; and**

19 **(3) For a retailer, a description of the retailer's age-verification processes.**

20 **6. Licenses shall be valid for one year from the date of issuance and may be**
21 **renewed annually. Any renewal application shall be submitted at least thirty days**
22 **before the date on which the license expires and include proof of compliance with the**
23 **provisions of sections 407.3070 to 407.3115 along with the annual licensing fee.**

24 **7. An agricultural producer licensed under the United States Department of**
25 **Agriculture's hemp program shall not be subject to the licensing requirements of this**
26 **section, provided that the producer does not engage in the manufacturing or retailing of**
27 **intoxicating hemp products.**

28 **8. Nothing in sections 407.3070 to 407.3115 prohibits a manufacturer from**
29 **holding a retail license or a retailer from holding a manufacturing license, provided that**
30 **each license is obtained and the licensee complies with all provisions of sections 407.3070**
31 **to 407.3115.**

32 **9. Any manufacturer that uses fifty kilograms of raw cannabinoids or less per**
33 **year may engage in the activities of a licensed retailer at the location of its**
34 **manufacturing operations without obtaining a retail license.**

35 **10. Any person or entity that manufactures or sells intoxicating hemp products**
36 **without a license shall be subject to:**

(1) A civil fine of up to five thousand dollars per violation;

37 (2) Seizure and destruction of any products that fail to comply with sections
38 407.3070 to 407.3115; and

39 (3) A permanent prohibition from applying for a license.

40 11. Counties, municipalities, and any other political subdivisions shall not
41 require a local license to manufacture or sell intoxicating hemp products and shall not
42 collect any licensing fee from manufacturers or retailers.

 407.3076. 1. There is hereby created in the state treasury the "Hemp Business
2 Fund", which shall consist of all fees authorized to be charged by the division under
3 section 407.3073 as well as the excise tax revenue collected under sections 144.028 and
4 407.3088 designated for deposit into the fund. The state treasurer shall be custodian of
5 the fund. In accordance with sections 30.170 and 30.180, the state treasurer may
6 approve disbursements. The fund shall be a dedicated fund and, upon appropriation,
7 moneys in this fund shall be used solely for the administration and enforcement of
8 sections 407.3070 to 407.3115 and section 144.028.

9 2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
10 remaining in the fund at the end of the biennium shall not revert to the credit of the
11 general revenue fund.

12 3. The state treasurer shall invest moneys in the fund in the same manner as
13 other funds are invested. Any interest and moneys earned on such investments shall be
14 credited to the fund.

 407.3079. 1. A manufacturer shall ensure that the primary raw hemp ingredient
2 used in the manufacture of hemp products undergoes full-panel testing. The final hemp
3 products shall undergo potency testing before being released for sale.

4 2. Testing required under this section shall occur on a per-batch basis, and
5 results shall confirm compliance with federal and state safety standards.

6 3. Testing required under this section shall be conducted by an independent
7 laboratory accredited to the International Organization for Standardization (ISO)/
8 International Electrotechnical Commission (IEC) 17025 standard by an accreditation
9 body recognized under the International Laboratory Accreditation Cooperation (ILAC)
10 Mutual Recognition Arrangement.

11 4. Full-panel testing of the primary raw hemp ingredient used in the
12 manufacture of a hemp product shall include testing for microbial contaminants and
13 any other substances specified by the division by rule.

14 5. Any sample failure may be resubmitted for confirmation of testing failure in
15 accordance with the following procedures:

16 (1) If a reserve sample was retained by the same laboratory that produced the
17 certificate of analysis demonstrating a test failure, that laboratory may retest the
18 reserve sample following the failed test in order to confirm component compliance;

19 (2) If the retested sample passes for the suspect component or components, a new
20 sample from the same batch shall be drawn and submitted to a second laboratory for
21 complete retesting of all components required to be tested under the rules promulgated
22 by the division. If the second retesting conforms to all required tolerances, the batch
23 shall be deemed compliant with testing requirements and may be transported and
24 distributed in commerce; and

25 (3) If a reserve sample is not available from the initial laboratory or if a sample
26 fails either of the retests, the batch shall be deemed nonconforming with the testing
27 requirements.

28 6. (1) A manufacturer shall not transport, or allow transport of, a batch that has
29 failed microbial contaminant testing unless:

30 (a) The batch is further processed by a method that effectively sterilizes the
31 batch, the batch is retested following such processing, and the results of the retesting
32 show conformance with required tolerances; or

33 (b) The batch is rendered unusable.

34 (2) A manufacturer shall not transport, or allow transport of, a batch that has
35 failed THC concentration testing unless:

36 (a) The batch is further processed by a method that effectively dilutes the batch,
37 the batch is retested following such processing, and the results of the retesting show
38 conformance with required tolerances;

39 (b) The batch is under immediate transport to a licensed manufacturer for
40 purposes of diluting the batch and the batch and remediation plan are reported to the
41 division prior to transport; or

42 (c) The batch is rendered unusable.

43 (3) For all other component testing failures not described in subdivisions (1) and
44 (2) of this subsection, the manufacturer shall render the batch unusable.

407.3082. 1. Each batch shall have a certificate of analysis detailing the results
2 of the testing conducted under section 407.3079.

3 2. Manufacturers shall maintain certificates of analysis for each primary raw
4 hemp ingredient used in the manufacture of hemp products and provide them to
5 inspectors upon request.

6 3. Retailers shall maintain certificates of analysis for each batch of hemp
7 products they sell and provide them to inspectors upon request.

8 **4. The certificate of analysis shall be made available to consumers via a quick-**
9 **response code on the product label that provides access to:**

- 10 **(1) The batch number;**
11 **(2) The date of testing; and**
12 **(3) Testing results for each substance tested.**

407.3085. 1. Each product label for a hemp product shall clearly display:

- 2 **(1) Total cannabinoid content in milligrams per package and per serving, if**
3 **applicable;**
4 **(2) An ingredient list with potential allergens;**
5 **(3) The net weight of the product;**
6 **(4) A best-by date not exceeding two years from the date the batch from which**
7 **the hemp product originated was tested under section 407.3079; and**
8 **(5) A quick-response code linking to the certificate of analysis for the batch from**
9 **which the hemp product originated.**

10 **2. Each product label for an intoxicating hemp product shall include the**
11 **following warnings with the text for each warning as follows:**

- 12 **(1) "Consumption may impair the ability to operate heavy machinery or drive.";**
13 **(2) "Not for use by individuals under 21 years of age.";**
14 **(3) "Consult your physician before use if you are pregnant, breast-feeding, or**
15 **taking medications.";**
16 **(4) "This product has not been approved by the United States Food and Drug**
17 **Administration (FDA) for medical use."; and**
18 **(5) "Consuming hemp products may result in a failed drug test.".**

19 **3. Hemp products shall not be labeled or marketed to appeal primarily to**
20 **individuals under twenty-one years of age. The use of cartoon characters, mythical**
21 **creatures, or other juvenile imagery in the labeling or marketing of a hemp product**
22 **shall be prohibited.**

23 **4. Labeling or marketing of hemp products shall not mimic packaging or**
24 **branding of food, beverages, or other nonhemp products in a manner that could cause**
25 **consumer confusion.**

26 **5. Any advertisement for an intoxicating hemp product shall prominently**
27 **include the following disclaimer orally or in writing: "This product contains hemp-**
28 **derived cannabinoids. Use responsibly. Keep out of reach of children.".**

29 **6. Labeling or marketing of hemp products shall not infringe upon any**
30 **trademarks protected by the United States Patent and Trademark Office or the**
31 **Missouri office of the secretary of state.**

32 **7. Unsubstantiated claims of medical benefits shall be prohibited in any labeling**
33 **or marketing of a hemp product unless approved by the United States Food and Drug**
34 **Administration.**

35 **8. Hemp-derived animal feed products and hemp-derived fiber, grain, and**
36 **topical products shall not be subject to the provisions of this section.**

407.3088. 1. For all tax years beginning on or after January 1, 2026, an excise
2 **tax is levied and imposed upon the retail sale of intoxicating hemp products to**
3 **consumers within this state at the rate and in the manner set forth in section 144.028.**

4 **2. The following penalties may be imposed on any retailer who fails to collect or**
5 **remit the excise tax imposed by this section and section 144.028:**

6 **(1) A civil fine of up to five thousand dollars per violation; and**

7 **(2) Suspension or revocation of any retail license.**

407.3091. 1. There is hereby created in the state treasury the "Missouri Hemp
2 **Development Fund", which shall consist of the excise tax revenue collected under**
3 **sections 144.028 and 407.3088 designated for deposit into the fund. The state treasurer**
4 **shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state**
5 **treasurer may approve disbursements. The fund shall be a dedicated fund and, upon**
6 **appropriation, moneys in this fund shall be used solely as provided in this section.**

7 **2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
8 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
9 **general revenue fund.**

10 **3. The state treasurer shall invest moneys in the fund in the same manner as**
11 **other funds are invested. Any interest and moneys earned on such investments shall be**
12 **credited to the fund.**

13 **4. After allocating moneys in the fund to the Missouri hemp research**
14 **commission established in section 407.3094 for its budgeted administrative costs, the**
15 **moneys in the fund shall be allocated as follows:**

16 **(1) Twenty-five percent to the department of health and senior services for:**

17 **(a) Public health initiatives related to hemp products; and**

18 **(b) Education programs on safe and responsible use of hemp products;**

19 **(2) Twenty percent to the department of agriculture to:**

20 **(a) Support soil remediation projects using industrial hemp; and**

21 **(b) Develop and promote hemp grain and fiber industries;**

22 **(3) Twenty-five percent to veterans' programs, including programs that provide**
23 **veterans with access to cannabinoid therapies and mental health support; and**

24 **(4) Thirty percent to the Missouri hemp research commission for funding**
25 **research and initiatives described in section 407.3094.**

26 **5. The department of revenue shall publish quarterly reports detailing:**

27 **(1) The total excise tax revenue collected;**

28 **(2) Allocations to each program or department; and**

29 **(3) Outcomes and progress reports from funded programs.**

407.3094. 1. The "Missouri Hemp Research Commission" is hereby established
2 **within the department of public safety to oversee the allocation of funds designated for**
3 **its use from the Missouri hemp development fund in section 407.3091 for research and**
4 **initiatives related to:**

5 **(1) Hemp-derived cannabinoid therapies, with an initial focus on chronic pain**
6 **management and symptom management of posttraumatic stress disorder and traumatic**
7 **brain injuries;**

8 **(2) Soil remediation, including soil remediation in:**

9 **(a) Areas contaminated by the Manhattan Project; and**

10 **(b) Contaminated wells and surrounding ecosystems; and**

11 **(3) The promotion and expansion of hemp-based industries, including the grain,**
12 **fiber, biofuels, and bioplastics industries.**

13 **2. The commission shall be composed of seven members, appointed by the**
14 **governor with the advice and consent of the senate, as follows:**

15 **(1) One representative from the department of agriculture;**

16 **(2) One representative from the department of health and senior services;**

17 **(3) One representative from a veterans' advocacy organization;**

18 **(4) One representative from an institution of higher education specializing in**
19 **agriculture or environmental sciences; and**

20 **(5) Three industry stakeholders, as follows:**

21 **(a) One licensed hemp farmer;**

22 **(b) One licensed hemp manufacturer; and**

23 **(c) One licensed hemp retailer.**

24 **3. The commission shall develop funding priorities and approve grants for:**

25 **(1) Chronic pain management research and clinical trials of hemp-derived**
26 **cannabinoid therapies;**

27 **(2) Research into therapies for posttraumatic stress disorder and traumatic**
28 **brain injuries that use cannabinoids;**

29 **(3) Soil remediation pilot programs focused on the use of industrial hemp;**

30 **(4) Programs to remediate water systems, including contaminated wells; and**

31 **(5) The expansion of Missouri's hemp industries, such as the grain, fiber, and**
32 **renewable materials industries.**

33 **4. The commission shall partner with academic institutions, research**
34 **organizations, and public health agencies to implement approved programs.**

35 **5. The commission shall ensure compliance with research standards and**
36 **maintain oversight of projects funded under this section.**

37 **6. In awarding grants, contracts, or funding for research and development**
38 **initiatives, the commission shall:**

39 **(1) Give preference to Missouri-based companies, licensed farmers, and research**
40 **institutions;**

41 **(2) Ensure that at least seventy percent of funded contracts are awarded to**
42 **Missouri entities unless no suitable in-state applicant meets the project's requirements;**
43 **and**

44 **(3) Prioritize projects that contribute directly to the growth of the state's hemp**
45 **economy.**

46 **7. (1) The commission shall publish an annual report detailing:**

47 **(a) Research findings and progress from funded initiatives;**

48 **(b) Expenditures from the Missouri hemp development fund; and**

49 **(c) Future funding priorities and goals.**

50 **(2) The commission shall submit the report to the governor and make the report**
51 **publicly available.**

52 **8. The commission may establish advisory committees composed of stakeholders,**
53 **including, but not limited to, farmers, researchers, veterans, and public health experts,**
54 **to provide guidance on specific initiatives.**

55 **9. The administrative costs for the commission shall be funded through**
56 **allocations from the Missouri hemp development fund, but any such allocations for**
57 **administrative costs shall not exceed ten percent of the commission's total annual**
58 **budget.**

407.3097. 1. No person shall sell or distribute intoxicating hemp products to
2 **individuals under twenty-one years of age.**

3 **2. Retailers shall verify proof of age of a purchaser using a government-issued**
4 **identification that contains a photograph of the purchaser for every sale of an**
5 **intoxicating hemp product.**

6 **3. Any retailer who sells or distributes intoxicating hemp products to individuals**
7 **under twenty-one years of age shall be subject to:**

8 **(1) A civil fine of up to five thousand dollars per violation; and**

9 **(2) Suspension or revocation of the retailer's license upon repeated violations.**

407.3100. 1. Intoxicating hemp products that are not beverages shall be stored
2 behind counters or in locked display cases inaccessible to customers without employee
3 assistance.

4 2. Intoxicating hemp products that are beverages shall be stored and displayed
5 in the same manner as alcoholic beverages are required to be stored and displayed
6 under state law including, but not limited to, the requirements to:

7 (1) Display the products in a designated beverage section where age-restricted
8 products are clearly identified and separated from non-age-restricted products; and

9 (2) Store the products in secure, monitored areas to prevent access by
10 individuals under twenty-one years of age.

407.3103. 1. The division may:

2 (1) Conduct random, unannounced inspections of licensed manufacturers and
3 retailers;

4 (2) Investigate complaints of noncompliance with any provision of sections
5 407.3070 to 407.3115; and

6 (3) Seize noncompliant products and issue notices of violation.

7 2. The division may impose any of the following penalties for violations of the
8 provisions of sections 407.3070 to 407.3115:

9 (1) A civil fine of up to five thousand dollars per violation;

10 (2) Suspension or revocation of licenses for repeated violations; or

11 (3) Confiscation and destruction of noncompliant products.

12 3. Any licensee subject to a penalty for a violation of sections 407.3070 to
13 407.3115 may request a hearing within thirty days of receipt of a notice of violation. All
14 hearings shall be conducted in accordance with state administrative procedures.

15 4. The division shall publish an annual compliance report summarizing:

16 (1) The number of inspections conducted;

17 (2) Violations identified and penalties issued for the violations; and

18 (3) Improvements in overall compliance across the state.

407.3106. 1. As used in this section, the following terms mean:

2 (1) "Safe harbor hemp product", a hemp-derived compound or hemp-derived
3 cannabinoid, whether a finished product or in the process of being produced, that is
4 manufactured for distribution, produced for distribution, packaged for distribution,
5 processed for distribution, prepared for distribution, treated for distribution,
6 transported for distribution, or held for distribution in this state for export or resale
7 outside this state but that is not sold or distributed in this state;

8 (2) "Safe harbor manufacturer or storage facility", a facility that manufactures
9 for distribution, produces for distribution, packages for distribution, processes for

10 **distribution, prepares for distribution, treats for distribution, transports for**
11 **distribution, or holds for distribution a safe harbor hemp product.**

12 **2. Sections 407.3070 to 407.3115 shall not apply to any:**

13 **(1) Safe harbor hemp product; or**

14 **(2) Safe harbor manufacturer or storage facility.**

15 **3. Hemp products intended for distribution or resale outside this state are**
16 **exempt from any requirements of the division. Such products are subject only to the**
17 **regulations of the destination state or country.**

407.3109. Manufacturers and retailers shall obtain any required licenses and
2 **ensure full compliance with the provisions of sections 407.3070 to 407.3115 before July 1,**
3 **2026.**

407.3112. 1. Notwithstanding the provisions of chapter 195 or 579 or any other
2 **provision of law to the contrary, any purchase, possession, consumption, use,**
3 **manufacture, transportation, or distribution of any hemp product that complies with**
4 **the provisions of sections 407.3070 to 407.3115 shall be lawful.**

5 **2. If the sale of any hemp product becomes illegal under federal law, the sale of**
6 **any such hemp product in this state shall be prohibited, and the following provisions**
7 **shall apply if the federal law prohibits the sale of all intoxicating hemp products:**

8 **(1) Any license issued by the division under sections 407.3070 to 407.3115 shall**
9 **be revoked; and**

10 **(2) The division shall not begin, or shall stop, issuing any licenses under sections**
11 **407.3070 to 407.3115.**

407.3115. The division and the department of revenue shall promulgate any
2 **rules, forms, and procedures necessary to implement the provisions of sections 407.3070**
3 **to 407.3115 and section 144.028 before March 1, 2026. Any rule or portion of a rule, as**
4 **that term is defined in section 536.010, that is created under the authority delegated in**
5 **this section shall become effective only if it complies with and is subject to all of the**
6 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
7 **536 are nonseverable and if any of the powers vested with the general assembly**
8 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
9 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
10 **and any rule proposed or adopted after the effective date of this section shall be invalid**
11 **and void.**

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