

# SENATE BILL NO. 984

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

4319S.01H

KRISTINA MARTIN, Secretary

## 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  
2 one new section, to be known as section 195.900, to read as  
3 follows:

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

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

4 (1) "CBD", cannabidiol, a nonintoxicating cannabinoid  
5 found in cannabis and hemp;

6 (2) "Cannabimimetic agent", the same as described in  
7 21 CFR 1308, or its successor regulation;

8 (3) "Cannabinoids", ligands that are either plant-  
9 derived, synthetic, or semisynthetic, and have an affinity  
10 for and activity at cannabinoid receptors;

11 (4) "Department", the department of health and senior  
12 services;

13 (5) "Intoxicating cannabinoids":

14 (a) Any cannabinoid or cannabimimetic agent, however  
15 derived or created, that has an intoxicating effect when  
16 consumed or otherwise ingested, irrespective of whether the  
17 cannabinoid or cannabimimetic agent was created or developed  
18 through natural means or through chemical conversion,

19 isomerization, synthetic derivation, heat, or any other  
20 process by which molecules may be manipulated; and

21 (b) Any cannabinoid, semisynthetic or synthetic  
22 cannabinoid, or precursor to an intoxicating cannabinoid  
23 that may become intoxicating when heated, decarboxylated, or  
24 otherwise manipulated, excluding, without limitation, CBD.  
25 "Intoxicating cannabinoids" shall be construed to conform  
26 to, and be included in the definition of "marijuana" under  
27 article XIV of the Constitution of Missouri and shall not be  
28 construed to conform to or be included in the definition of  
29 "industrial hemp" in section 195.010;

30 (6) "Marijuana", as such term is defined in article  
31 XIV of the Constitution of Missouri.

32 3. The general assembly hereby declares that the state  
33 has a compelling interest in ensuring that products  
34 containing intoxicating cannabinoids are regulated in  
35 relation to the standards applied to similar products,  
36 including, but not limited to robust safety, testing,  
37 packaging, and labeling requirements, as well as safeguards  
38 to prohibit the consumption of intoxicating cannabinoids by  
39 children. It is the intent of this section that  
40 intoxicating cannabinoid products should be subject to the  
41 legal framework contained in article XIV of the Constitution  
42 of Missouri, under which the purchase, possession,  
43 consumption, use, delivery, manufacturing, and sale of  
44 marijuana is regulated by the department.

45 4. Notwithstanding any provision of law to the  
46 contrary, all intoxicating cannabinoid products are  
47 marijuana and shall be regulated by the department in a same  
48 manner as the department regulates marijuana under article  
49 XIV of the Constitution of Missouri, including, but not  
50 limited to, requiring intoxicating cannabinoid products to

51 be subject to the same growing, manufacturing, dispensing,  
52 transportation, advertising, marketing, testing, packaging,  
53 and labeling requirements as marijuana, and that all  
54 intoxicating cannabinoid products are cultivated,  
55 manufactured, and sold only at a licensed comprehensive  
56 facility, medical facility, or marijuana microbusiness  
57 facility, as such terms are defined in article XIV of the  
58 Constitution of Missouri. The department shall regulate all  
59 intoxicating cannabinoid products consistent with, and in  
60 addition to, other natural marijuana products pursuant to  
61 its constitutionally-mandated requirement to regulate  
62 marijuana within the framework of article XIV of the  
63 Constitution of Missouri.

64 5. The department shall collaborate with the  
65 department of public safety and all other pertinent law  
66 enforcement agencies in this state to ensure the provisions  
67 of this section are enforced.

68 6. The department of health and senior services shall  
69 promulgate all rules and regulations necessary to implement  
70 the provisions of this section. The department and the  
71 department of public safety shall actively and aggressively  
72 enforce the provisions of this section and all department  
73 rules and regulations under this section. Any rule or  
74 portion of a rule, as that term is defined in section  
75 536.010, that is created under the authority delegated in  
76 this section shall become effective only if it complies with  
77 and is subject to all of the provisions of chapter 536 and,  
78 if applicable, section 536.028. This section and chapter  
79 536 are nonseverable and if any of the powers vested with  
80 the general assembly pursuant to chapter 536 to review, to  
81 delay the effective date, or to disapprove and annul a rule  
82 are subsequently held unconstitutional, then the grant of

83 rulemaking authority and any rule proposed or adopted after  
84 August 28, 2024, shall be invalid and void.

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