HOUSE BILL 493

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

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AN ACT

RELATING TO CANNABIS REGULATION; REQUIRING A SEED-TO-SALE

TRACKING SYSTEM; REQUIRING A WEBSITE DASHBOARD THAT INCLUDES

REPORTS ON ENFORCEMENT OF THE CANNABIS REGULATION ACT AND

SUPPLY CHAIN ACTIVITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 26-2C-1 NMSA 1978 (being Laws 2021

(1st S.S.), Chapter 4, Section 1) is amended to read:

"26-2C-1. SHORT TITLE.--[Sections 1 through 42 of this

act] Chapter 26, Article 2C NMSA 1978 may be cited as the

"Cannabis Regulation Act"."

SECTION 2. A new section of the Cannabis Regulation Act

is enacted to read:

"[NEW MATERIAL] SEED-TO-SALE TRACKING SYSTEM.--

A. The division shall develop and maintain a seed-

to-sale tracking system that tracks cannabis from either the seed or immature plant stage through the sale of cannabis or cannabis product to a consumer to ensure that no cannabis or cannabis product is grown, processed, produced, manufactured, sold, resold or otherwise transferred in New Mexico except as allowed in the Cannabis Regulation Act; provided that the tracking system shall not apply to cannabis grown for personal use.

B. The tracking system shall include any cannabis product recalls, and the division shall issue a health and safety advisory when a cannabis product is recalled."

SECTION 3. A new section of the Cannabis Regulation Act is enacted to read:

"[NEW MATERIAL] WEBSITE DASHBOARD--COMPLIANCE AND ENFORCEMENT--SUPPLY CHAIN ACTIVITY.--

A. The division shall conduct at least two compliance checks each year at each cannabis retailer and shall conduct one or more compliance checks on other cannabis establishments each year.

B. The division shall maintain on its website a dashboard with information that includes:

(1) compliance-check records, recall records and records of minors in possession of cannabis; provided that the website shall not include the name of any minor;

(2) an online method for submitting anonymous

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- 2 -

1   tips related to licensing violations;

2   (3)   compliance checks, including:

3   (a)   the number of compliance checks

4   conducted by cannabis establishment type;

5   (b)   the number of underage compliance

6   checks;

7   (c)   the number of underage sales

8   violations, including the name of the license violator, how

9   many violations were the result of underage compliance checks

10 or tips and the penalties imposed for each violation;

11   (d)   a description of black- or gray-

12 market enforcement activities undertaken by the division or law

13 enforcement agencies, including the dates of the activities,

14 any violations found and the result of those violations if

15 known; and

16   (e)   the number of cannabis product

17 recalls by licensee and product type;

18   (4)   a summary of supply chain activity,

19 including:

20   (a)   cannabis and cannabis product sales;

21   (b)   number of cultivated plants;

22   (c)   total weight of wet and dry

23 harvested plants;

24   (d)   average price per gram;

25   (e)   number of licenses in each category;

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1   (f)   number of cannabis plants and

2 products recalled and public safety advisories issued; and

3   (g)   maps showing locations of cannabis

4 establishments by type; and

5   (5)   any other information determined by the

6 division."

7   **SECTION 4.** EFFECTIVE DATE.--The effective date of the

8 provisions of this act is July 1, 2023.

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