

HOUSE BILL 2749

By Eldridge

AN ACT to amend Tennessee Code Annotated, Title 39;
Title 43, Chapter 27 and Chapter 423 of the Public
Acts of 2023, relative to cannabis.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 43-27-103(a), is amended by adding the following as a new subdivision:

() The sale within this state of hemp that is produced outside this state;

SECTION 2. Tennessee Code Annotated, Title 43, Chapter 27, Part 2, is amended by adding the following as a new section:

(a) Prior to selling hemp produced in this state, a hemp producer must have the hemp tested and certified as having delta-9 tetrahydrocannabinol in a concentration of three-tenths of one percent (0.3%) or less.

(b)

(1) A hemp producer shall contract for the testing required by subsection (a) with a third-party laboratory that is licensed in this state .

(2) The department of agriculture is authorized to promulgate rules specifying which types of tests may be used to satisfy the requirements of subsection (a) and the qualifications for laboratories from which the department will accept test results.

SECTION 3. Tennessee Code Annotated, Section 43-27-206(b)(1), is amended by adding the following as a new subdivision:

() For all hemp-derived cannabinoid products that a supplier or retailer sells in this state, maintain a record of the time and place that the product was purchased and

documentation establishing that the product contained delta-9 tetrahydrocannabinol in a concentration of three-tenths of one percent (0.3%) or less. A supplier or retailer shall maintain the records and documentation required by this subdivision (b)(1)() for two (2) years from the date that the product is sold and make such records and documentation available for inspection upon the request of law enforcement personnel, or agents of the department of agriculture or department of revenue.

SECTION 4. Tennessee Code Annotated, Section 43-27-209(a)(2), is amended by adding the following as a new subdivision:

() A statement that the product contains delta-9 tetrahydrocannabinol in a concentration of three-tenths of one percent (0.3%) or less on a dry weight basis;

SECTION 5. Tennessee Code Annotated, Section 39-17-402(16), is amended by adding the following as a new subdivision:

() "Marijuana" includes a synthesized, hemp-derived product containing delta-9 tetrahydrocannabinol in a concentration of more than three-tenths of one percent (0.3%) on a dry weight basis;

SECTION 6. Tennessee Code Annotated, Section 39-17-417, is amended by adding the following as a new subsection:

() In addition to the penalties authorized by subdivisions (g)(1)-(3), (i)(14), and (j)(14), a violation of subsection (a) with respect to a Schedule VI controlled substance classified as marijuana that is a synthesized, hemp-derived product containing delta-9 tetrahydrocannabinol in a concentration of more than three-tenths of one percent (0.3%) on a dry weight basis is fined ten thousand dollars (\$10,000).

SECTION 7. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that

can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 8. This act takes effect July 1, 2024, the public welfare requiring it.