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## OLR Bill Analysis

### sHB 7178

## **AN ACT CONCERNING CANNABIS, HEMP AND TOBACCO REGULATION.**

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**§ 21 — LABORATORY TESTING TASK FORCE**

*Establishes a task force to study and make recommendations on cannabis and cannabis product laboratory testing standards and report to the General Law Committee by January 15, 2026*

**BACKGROUND**

**SUMMARY**

This bill makes various unrelated changes to laws on cannabis, hemp, cigarettes, and THC-infused beverages.

EFFECTIVE DATE: Upon passage, unless otherwise noted.

**§ 1 — THC-INFUSED BEVERAGES FOR OUT-OF-STATE SALES**

*Allows THC-infused beverage manufacturers to manufacture beverages with THC greater than three milligrams per container if they are not selling them in-state*

Regardless of the infused beverage laws, the bill allows a licensed infused beverage manufacturer to manufacture beverages with a total THC of more than three milligrams per container if they will only sell them outside the state and following all applicable federal law and the laws of the state where they will be sold.

By law, an “infused beverage” is, broadly, a non-alcoholic beverage with a total THC content of less than three milligrams (mgs) per container, which must be 12 fluid ounces.

## **§ 2 — ALCOHOLIC LIQUOR WHOLESALERS EXCLUSIVELY SELLING INFUSED BEVERAGES**

*Allows alcoholic liquor wholesaler permittees to only wholesale infused beverages without having to wholesale alcoholic liquor*

The bill allows an alcoholic liquor wholesaler permittee and a wholesaler permittee for beer to only sell infused beverages at wholesale. So, under the bill, they are not required to sell alcoholic liquor at wholesale in order to sell infused beverages at wholesale.

## **§§ 3, 12 & 13 — SOCIAL EQUITY APPLICANTS PARTNERING WITH HEMP PRODUCERS**

*Allows certain social equity cultivator applicants to partner with hemp producers to receive either a cultivator or micro-cultivator license that allows cultivation outside a disproportionately impacted area, under certain conditions*

The bill provides an additional option for certain social equity cultivator applicants by allowing them to partner with hemp producers to cultivate outside a disproportionately impacted area.

By law, the Department of Consumer Protection (DCP) opened a three-month application period for social equity applicants to apply for a provisional and final cultivator license for a facility located in a disproportionately impacted area without participating in a lottery or request for proposals.

The bill sets a time period of between July 1, 2025, and December 31, 2026, for these social equity applicants to partner with a hemp producer to get a cultivator or micro-cultivator license and allowing them to grow outside a disproportionately impacted area, under certain conditions.

Under current policies and procedures, among other things, cultivators must have a grow space and outdoor grow space of between 15,000 and 250,000 square feet in the aggregate, and micro-cultivators must have between 2,000 and 10,000 square feet in the aggregate, before any authorized expansion.

**Conditions for New License**

To qualify under the bill, the social equity applicant must have submitted an application before July 1, 2025, and also reapply under the terms of the bill between July 1, 2025, and March 31, 2026.

***Applied for Prior License.*** The bill requires a social equity applicant to have submitted a completed cultivator application to locate the cultivation facility in a disproportionately impacted area before July 1, 2025. Additionally, the applicant must have been either:

1. verified by the Social Equity Council to have met the social equity applicant criteria or
2. issued a provisional, but not final, cultivator license by DCP.

***Applying for New License With Hemp Producer.*** The bill requires the applicant to (1) apply to DCP between July 1, 2025, and March 31, 2026, by submitting a completed application for a new cultivator or micro-cultivator license on a DCP-prescribed form and (2) meet the bill's requirements.

The bill requires the applicant to submit:

1. a copy of the agreement between the applicant and a hemp producer that has been continually licensed as a hemp producer since January 1, 2024 (see below);
2. an acknowledgement from the applicant and a separate acknowledgement from the hemp producer of the steps that take place after the license is issued (see below);
3. evidence that is sufficient for DCP to determine that the hemp producer has been continuously licensed since January 1, 2024;
4. a written statement from the applicant disclosing whether there has been a change of ownership or control since being verified by the Social Equity Council as a social equity applicant; and
5. the application fee, which unless the applicant has already

received a provisional cultivator license or paid the fee, is either (a) \$3 million for a cultivator license or (b) \$500,000 for a micro-cultivator license.

**Requirements of Hemp Producer Agreement.** The agreement must require the use of the hemp producer's cultivation lot, which may be located outside of a disproportionately impacted area. It must also provide that if DCP issues a provisional cultivator or micro-cultivator license to the applicant the:

1. provisional license automatically replaces both the provisional cultivator license application the applicant submitted and any provisional cultivator license DCP may have issued, and both are immediately deemed to have been automatically withdrawn or surrendered, and
2. hemp producer must immediately be deemed to have automatically surrendered his or her hemp producer license.

**Acknowledgements.** Under the bill, the applicant must also submit an acknowledgment by both the applicant and hemp producer that upon approval under the bill the new license replaces any existing application and license, and both are automatically considered withdrawn or surrendered (as mentioned above).

Additionally, the applicant must acknowledge that he or she will be (1) eligible to create only one equity joint venture after getting a cultivator license and beginning cultivation activities and (2) ineligible to create an equity joint venture after getting a micro-cultivator license.

**Changes to Social Equity Status.** Under the bill, if applicable, if the applicant gave a written statement on changes in ownership or control, the Social Equity Council must determine if the changes are allowed under the laws and regulations governing its application review process. Additionally, the council must also review the agreement between the applicant and hemp producer.

For both reviews, the council must determine whether the applicant

continues to meet the social equity applicant criteria and submit to DCP a written notice disclosing its determination.

***Harvesting Hemp.*** Before a new license may be issued, the bill requires all hemp to be harvested from the cultivation lot. All harvested hemp continues to be deemed hemp until DCP issues a final cultivator or micro-cultivator license to the applicant. (Hemp and cannabis are regulated under different laws in Connecticut.) After the final license is issued, the harvested hemp is deemed cannabis and subject to all cannabis cultivation, testing, labeling, tracking, reporting, and manufacturing laws that apply to cultivators and micro-cultivators.

***License Renewal Fee***

Under the bill, a renewal fee for a final cultivator and micro-cultivator license are the same as existing law (i.e. \$75,000 for cultivators and \$1,000 for micro-cultivators). The initial and renewal fees must be deposited in the Cannabis Social Equity and Innovation Fund. By law, this fund may be used as access to capital for businesses, technical assistance for start-ups, workforce education and community investment funding, and paying costs for regulating cannabis (CGS § 21a-420f).

***Equity Joint Venture***

In a provision that is substantially similar to the acknowledgement requirements above, the bill only allows a social equity applicant to create one equity joint venture and it may not be created until the applicant has gotten a cultivator license and begins cultivation activities. It also prohibits social equity applicants getting a micro-cultivator license from creating an equity joint venture.

***Application Information Disclosure***

The bill extends existing law's prohibition on application information disclosure to these applications. Existing law generally prohibits current or former state officers or employees, or employees of anyone who had access to a submitted application, to disclose the application or any information included in or submitted with it (CGS § 21a-420e(g)).

**Application Process**

Regardless of any provision of the Responsible and Equitable Regulation of Adult-Use Cannabis Act and unless otherwise provided in these provisions, the bill requires each submitted application to be processed as other cultivator or micro-cultivator applications selected through the lottery and subject to the process set in existing laws.

EFFECTIVE DATE: July 1, 2025

**§§ 4 & 7 — PROVISIONAL LICENSE EXPIRATION EXTENSION**

*Extends the expiration date, from 14 to 24 months, for provisional licenses DCP issued on or after July 1, 2023, other than for cultivator licenses for certain social equity applicants*

The bill extends the expiration date, from 14 to 24 months, for provisional licenses (but those not for cultivator licenses for social equity applicants). Under current law, such licenses that are issued on or after July 1, 2023, expire after 14 months. As under existing law, a provisional license may not be renewed.

**§§ 5-7 — EQUITY JOINT VENTURE INCREASE IN OWNERSHIP**

*Allows certain cannabis establishment backers to increase their ownership in an equity joint venture to more than 50% if at least three years have passed and the Social Equity Council approves*

Current law prohibits certain cannabis establishments and their backers from increasing their ownership in an equity joint venture to more than 50% in the seven years after the license is issued.

The bill allows cultivators, producers, and dispensary facilities, including backers, to increase their ownership in an equity joint venture to more than 50% if at least three years have passed and with the Social Equity Council's approval.

**§ 8 — FACSIMILE OF FOODS, OUTDOOR CULTIVATION, AND PACKAGING COLORS**

*Requires the DCP commissioner to adopt various cannabis-related regulations (1) specifying that the prohibition on products that appeal to children includes facsimiles of foods and beverages, (2) specifying that outdoor cultivation includes growing away from an indoor cultivation facility, and (3) allowing additional colors in cannabis packaging*

Existing law requires the DCP commissioner to adopt various cannabis-related regulations, including ones on prohibiting cannabis

product types that appeal to children, allowing outdoor cannabis cultivation, and setting standards for packaging and labeling.

The bill specifies that (1) the prohibition on products that appeal to children includes facsimiles of foods, beverages, and other items that appeal to children; and (2) outdoor cultivation includes cultivating cannabis at one or more locations away from a cultivator's or micro-cultivator's indoor cultivation facility, but the cultivator's or micro-cultivator's combined indoor grow space must not, in total, exceed the maximum grow space allowed for a cultivator or micro-cultivator (see above).

The bill loosens the cannabis product packaging and labeling requirements to allow more colors by eliminating the current restrictions (1) limiting the logo to three colors, excluding black and white and (2) requiring packaging to be just one color and not include any information, print, embossing, debossing, graphic, or hidden feather, other than a permitted or required label. It also allows a cannabis establishment to print any name, rather than just the establishment's name, and put other identifying marks on a delivery device cartridge. It also eliminates the (1) one logo with up to three colors limit and (2) requirement that the packaging and labeling for an edible cannabis product, excluding the warning, be only black and white.

Under the bill, cannabis products may still be packaged with a picture of the cannabis product. But the package may also show a colored logo or mark, which may include graphics.

EFFECTIVE DATE: October 1, 2025

## **§ 9 — EXPIRATION OF CANNABIS POLICIES AND PROCEDURES**

*Extends the effective period of cannabis policies and procedures by 12 months, if regulations have not been adopted*

The bill extends the maximum effective period of cannabis policies and procedures from June 22, 2025, to June 22, 2026, if regulations have not been submitted to the Regulation Review Committee. As under existing law, the policies and procedures are no longer effective when



regulations are adopted.

## **§ 10 — SUSPECTED CANNABIS THEFT REPORTING EXEMPTION**

*Allows cannabis establishments to complete their investigation of suspected cannabis theft or loss of up to \$500 before reporting to DCP*

Under current policies and procedures, a licensee and any employee must immediately notify DCP in writing as soon as they are aware of any, among other actions, suspected diversion, theft, or loss of any cannabis.

The bill allows cannabis establishments to first investigate suspected diversions, thefts, or losses of cannabis valued at \$500 or less before reporting the actions to DCP.

By law, a “cannabis establishment” is a cannabis producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer (one licensed to sell both recreational cannabis and medical marijuana), food and beverage manufacturer, product manufacturer or packager, delivery service, or transporter.

## **§ 11 — MANUFACTURER HEMP PRODUCT LABELING**

*Eliminates the requirement that the manufacturer hemp product statement disclosure include warnings directed at children*

Existing law requires manufacturer hemp products that are a food, beverage, oil, or other product intended for human ingestion to have certain labels on the package. Current law requires a clear and conspicuous statement disclosing that, “Children, or those who are pregnant or breastfeeding, should avoid using such product prior to consulting with a health care professional concerning such product’s safety.” The bill eliminates the requirement that the statement include reference to children.

## **§ 14 — MICRO-CULTIVATORS**

*Allows certain micro-cultivators to receive a retailer or hybrid retailer endorsement under certain conditions; allows micro-cultivators to sell their cannabis seedlings directly to consumers using their own employees*

### ***Retailer or Hybrid Retailer Endorsement***

The bill allows a micro-cultivator with a final license that maintains

an exclusively indoor grow facility to submit an application to DCP, on a commissioner-prescribed form and manner, for a retailer or hybrid retailer endorsement to the final license. The endorsement authorizes the micro-cultivator to operate as a retailer or hybrid retailer under the bill's requirements.

**Application.** A micro-cultivator applicant must submit a complete endorsement application, along with the endorsement application fee, to DCP within one year of when the applicant obtained a final micro-cultivator license or June 30, 2026, whichever is later. DCP must not accept an application submitted after the time period has expired.

The application fee for an endorsement is the same as the fee for a final retailer license or a final hybrid retailer license (i.e. \$25,000). The annual renewal fee for an endorsement is also the same as the retailers and hybrid retailers' renewal fee (i.e. \$25,000).

**Conditions.** Under the bill, DCP must issue an endorsement if the micro-cultivator:

1. submits a timely and complete endorsement application to the department, in the commissioner-prescribed form and manner;
2. attests that the retailer or hybrid retailer created through the endorsement will be operated following all licensed retailer or licensed hybrid retailer requirements; and
3. acknowledges and attests that the micro-cultivator will not engage in any outdoor cannabis cultivation.

**Final License Requirements.** Each micro-cultivator issued an endorsement has 24 months from when the endorsement is issued to (1) satisfy the requirements for a retailer or hybrid retailer that has been issued a final license (see below), and (2) seek and get a DCP written statement, in a commissioner-prescribed form and manner, confirming that the micro-cultivator satisfies the requirements and may engage in the activities of a retailer or hybrid retailer.

Existing law requires final license applications to be submitted on a

form and in a manner the DCP commissioner approves and to include the legally required application information, as well as evidence of the following:

1. a contract with an entity providing an approved electronic tracking system,
2. a right to occupy the location where the cannabis establishment will be located,
3. any necessary local zoning approval for the establishment's operation,
4. a certification by the applicant that a project labor agreement will be entered into before construction of any facility the establishment uses for operations,
5. a Social Equity Council-approved social equity plan and workforce development plan,
6. written policies for preventing diversion and misuse of cannabis and sales to underage people,
7. all other security requirements DCP sets based on the specific license type, and
8. a labor peace agreement entered into between the cannabis establishment and a bona fide labor organization (CGS § 21a-420g).

**Expiration.** This endorsement expires and is not eligible for reapplication or renewal if the micro-cultivator (1) fails to satisfy the requirements established above, or (2) allows the endorsement to lapse.

**Location.** The retailer or hybrid retailer facility must be located (1) on the same premises as the micro-cultivator, or (2) on a tract of land or parcel that is next to the premises, provided this tract of land or parcel is located within 100 feet of the premises measured from the point that is closest to the premises.

**Authorization.** Upon receiving DCP's written statement, the micro-cultivator must:

1. be authorized to sell cannabis only if the cannabis is cultivated indoors by the micro-cultivator;
2. acknowledge and agree that the micro-cultivator is not eligible to expand to a cultivator license; and
3. maintain the retailer's or hybrid-retailer's activities and facility following the requirements established under the cannabis and medical marijuana laws, regulations, and policies and procedures.

The bill allows a micro-cultivator with an endorsement to sell cannabis it cultivated directly to consumers using a delivery service or its own employees, subject to the delivery service requirements. The bill only allows the micro-cultivator to sell cannabis it cultivated.

**Limitations.** The bill limits a micro-cultivator with an endorsement from exceeding 25,000 square feet of grow space. It is not eligible to convert to a cultivator license unless the micro-cultivator permanently surrenders the endorsement and stops all retailer and hybrid retailer activities.

An endorsement does not impact any right a micro-cultivator may have to create an equity joint venture.

### ***Seedling Delivery***

Under current law, micro-cultivators may only sell cannabis seedlings through a delivery service to consumers. The bill expands the delivery options by allowing them to sell seedlings using their own employees for delivery under the same requirements as the delivery service.

EFFECTIVE DATE: July 1, 2025

## **§§ 15 & 16 — EXPANDING TRANSPORTER LICENSES**

*Allows transporters seeking to expand their authorized activities to include product packager activities under specified procedures; sets the expansion and renewal fee at \$25,000*

The bill allows a transporter to expand its authorized activities to include a product packager's authorized activities. In order for this to happen the:

1. transporter must submit to DCP a completed license expansion application and a \$25,000 application fee; and
2. commissioner must authorize the transporter, in writing, to do the expanded activities of a product packager.

The bill requires a transporter that expands its authorized activities to comply with all the laws, regulations, policies, and procedures for product packagers. If there is a conflict between the transporter requirements and the product packager requirements, the more stringent public health and safety standard prevails.

Under the bill, the renewal fee for a transporter's expanded authorization is \$25,000. This renewal fee is instead of the transporter renewal fee, which is \$5,000. If a transporter decides to stop the expanded activities, it must notify DCP in writing before reverting to the authorized activities of a transporter. The transporter remains authorized to do the expanded activities until the end of the license period during which the written notice was given.

EFFECTIVE DATE: July 1, 2025

## **§ 17 — HOURS FOR RETAIL CANNABIS SALES**

*Generally limits the hours a cannabis retailer or hybrid retailer may sell cannabis to 10:00 a.m. to 6:00 p.m. on Sundays, and 8:00 a.m. to 10:00 p.m. any other day*

The bill generally limits the hours a cannabis retailer or hybrid retailer may sell cannabis to 10:00 a.m. to 6:00 p.m. on Sundays, and 8:00 a.m. to 10:00 p.m. any other day.

Current law allows municipalities to amend their zoning regulations or enact local ordinances to, among other things, reasonably restrict cannabis establishments' hours. Under the bill, municipalities may not

allow a retailer or hybrid retailer to sell during a period prohibited by the bill, but can still limit the allowable times further.

EFFECTIVE DATE: July 1, 2025

## **§ 18 — INFUSED BEVERAGE LABELING REQUIREMENTS**

*Requires an infused beverage container to prominently display an international symbol that applies to products with intoxicating cannabinoids in keeping with an ASTM standard*

Under existing law, each infused beverage container sold or offered for sale in Connecticut must prominently display a symbol indicating the beverage is not legal or safe for anyone under age 21. Current law requires the symbol to be at least one-half inch by one-half inch in size and in a DCP-approved format.

The bill instead requires (1) an international symbol applicable to all products with intoxicating cannabinoids in keeping with American Society of Testing and Materials or “ASTM” standard D8441/D8441M-22 and (2) a label indicating the beverage is not legal or safe for anyone under age 21.

EFFECTIVE DATE: July 1, 2025

## **§§ 19 & 20 — CIGARETTE DEALER LICENSES AND RENEWALS**

*Requires the local police chief to send written comments for a cigarette dealer license renewal and DRS to send a written response back, under certain circumstances; requires DRS to hold suitability hearings for new licenses; allows certain remonstrance objections on suitability to be on issues controlled by local zoning*

### ***Required Written Response***

Existing law allows municipalities to adopt ordinances requiring anyone applying to renew a Department of Revenue Services (DRS) cigarette dealer’s license to simultaneously give written notice of the application to the chief law enforcement official or his or her designee in the municipality where the business is located. Current law (1) allows the official or designee to send written comments on the application to the DRS commissioner within 15 days after receiving the notice and (2) requires the DRS commissioner to consider the comments before renewing the license.

The bill instead requires the official or designee to send written comments and the DRS commissioner to send a written response to them providing a detailed response to the comments before approving or denying the application.

### ***Notice of Application for Cigarette Dealer's License***

Existing law requires a cigarette dealer's license applicant to notify the town where their businesses will be located and post certain notices at their businesses about their license applications. Under current law, DRS may hold a hearing on the proposed location's suitability after receiving sufficient evidence of compliance. The bill instead makes the suitability hearing mandatory.

### ***Objections to a Proposed or Renewed Cigarette Dealer's License***

Existing law allows any 10 adult town residents where the cigarette dealer's business is proposed or currently located, to file a "remonstrance" (i.e. objection) with DRS. Current law requires the remonstrance to include any objection to the suitability of the applicant or proposed business place, if the issue is not controlled by local zoning. The bill allows objections that concern local zoning.

EFFECTIVE DATE: July 1, 2025

## **§ 21 — LABORATORY TESTING TASK FORCE**

*Establishes a task force to study and make recommendations on cannabis and cannabis product laboratory testing standards and report to the General Law Committee by January 15, 2026*

The bill establishes a four-person task force to study and make recommendations on the laboratory testing standards for cannabis and cannabis products in Connecticut. The study must examine the standards to ensure they account for the inherent heterogeneity of cannabis and cannabis products, and the feasibility of:

1. substituting intermediate batch testing for final form testing based on cannabis industry best practices,
2. modifying stability testing requirements to account for anticipated variances,

3. modifying testing requirements concerning chromium and aspergillus, and
4. clarifying the state's out-of-specification policy to prohibit the unnecessary destruction of usable biomass.

### ***Membership***

The General Law House and Senate chairpersons and ranking members must each appoint a task force member.

Under the bill, initial task force appointments must be made within 30 days after the bill's passage. Appointed members may be legislators and the appointing authority fills any vacancy. The bill requires the General Law chairpersons to select the task force's chairpersons from among the membership.

### ***Meeting and Staff***

The task force chairperson must schedule and hold the first meeting within 60 days of the bill's passage. The General Law administrative staff must serve as the task force's administrative staff.

### ***Report***

The bill requires the task force, by January 15, 2026, to submit a report on its findings and recommendations to the General Law Committee. The task force ends on the day it submits the report or January 15, 2026, whichever is later.

## **BACKGROUND**

### ***Related Bills***

sSB 970, favorably reported by the General Law Committee, has the same provision eliminating the requirement that the manufacturer hemp product statement disclosure include warnings directed at children.

sHB 6930, favorably reported by the General Law Committee, specifies cannabis establishment licensees are not entitled to pay a reduced license renewal fee if the (1) business is sold or ownership changes during the three years after a final license is issued, and (2) sale



or change is made to anyone other than a social equity applicant.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea 16    Nay 6    (03/24/2025)