



2023 VHC LOBBY DAY 1/18/23

BILL SUMMARY

HB 2265 – (strongly support) – Delegate Tony Wilt, DelTWilt@house.virginia.gov, (804) 698-1026 : This is a great bill the VHC worked with Delegate Wilt to produce. This will help hemp grain and fiber farmers to have much less red tape that is not needed and reduce the risk and unnecessary hoops to jump through currently involved in Virginia farming with hemp that is produced and processed in Virginia. This bill increases from 0.3 percent to one percent, in the definition of industrial hemp, the maximum concentration of tetrahydrocannabinol (THC) in the plant *Cannabis sativa*, and excludes hemp products with a THC concentration of one percent or less from (i) the definition of marijuana and (ii) tetrahydrocannabinols as found on Schedule I of the Drug Control Act. The bill allows the Commissioner of Agriculture and Consumer Services to destroy *Cannabis sativa* found to have a THC concentration greater than one percent only if such *Cannabis sativa* is intended for human consumption; reduces the application and registration requirements for any person seeking to grow, deal in, or process industrial hemp; and prohibits the Board of Agriculture and Consumer Services and the Commissioner from adopting any regulation that prohibits the use of industrial hemp or hemp products in the production of any commercial feed product regulated by the Board. This bill does not apply to hemp flower nor hemp grown and produced for out of state processing. Please thank Delegate Wilt for carrying this bill for the VHC.

SB 903 – (strongly oppose) – Senator Emmett Hanger, district24@senate.virginia.gov, (804) 698-7524 : Misguided bill that was written by the Youngkin Administration and those behind it who seek the control and cannabis market advantages it gives them. It casts a wide enforcement net over all hemp extract products like CBD, which is unnecessary. This bill will do much harm to the Virginia hemp industry and is not the way to legislate some simple labeling and testing regulations for hemp products intended for human consumption. It creates a civil penalty of up to \$1,000 for certain violations relating to such products. The bill requires any person who manufactures an industrial hemp extract, as defined in the bill, or food containing an industrial hemp extract to obtain a permit from the Commissioner of Agriculture and Consumer Services and creates a Class 1 misdemeanor and a civil penalty of up to \$10,000 PER DAY for certain violations. The bill clarifies that any substances containing a concentration of total tetrahydrocannabinol, as defined in the bill, of more than 0.3 percent, including a hemp product or industrial hemp extract, are included in the definition of marijuana. The bill increases the civil penalty for certain actions relating to sales of cigarettes and hemp products from \$50 to \$500.

The bill also permits the Board of Pharmacy to schedule, deschedule, or reschedule a tetrahydrocannabinol isomer, except delta-9-tetrahydrocannabinol, or salts of such isomer in accordance with the provisions of the bill. Please call or email Senator Hanger and tell him to withdraw this destructive bill.

HB 1973 – (strongly oppose) – Delegate Jay Leftwich, DelJLeftwich@house.virginia.gov, (804) 698-1078 : Companion bill to SB 903 from Senator Hanger (above). Please call or email Delegate Leftwich and tell him to withdraw this destructive bill.

HB 249 – (strongly oppose) – Delegate Terry Kilgore, DelTKilgore@house.virginia.gov, (804) 698-1001: Another misguided bill that would decimate the entire hemp wellness product industry in Virginia. It would basically classify every single hemp product for consumption in Virginia as marijuana. This bill modifies the definition of "marijuana" in drug laws, the Cannabis Control Act, and the Drug Control Act to (i) include any substance containing (a) a total tetrahydrocannabinol concentration that exceeds 0.3 percent or (b) more than one milligram of tetrahydrocannabinol per 100 grams of total product weight (this is an extremely low amount). The bill defines "tetrahydrocannabinol" to include any naturally occurring or synthetic tetrahydrocannabinol, including its salts, isomers, or salts of isomers, and removes references in the Code to delta-9 tetrahydrocannabinol. The bill directs the Board of Agriculture and Consumer Services to adopt regulations that require hemp products not intended for human consumption, orally or by inhalation, to include a bittering agent that renders the products unpalatable. The bill creates a \$5,000 civil penalty for persons that willfully commit a second or subsequent violation of certain provisions of the Virginia Consumer Protection Act related to products containing tetrahydrocannabinol. This bill adds unnecessary red tape and also goes against federal hemp law. Please call or email Delegate Kilgore and tell him to withdraw this destructive bill.

SB 1393 – (can support with recommendations) – Senator Lynwood Lewis, (804) 698-7506 district06@senate.virginia.gov : This bill requires the Board of Agriculture and Consumer Services to adopt certain regulations relating to industrial hemp and industrial hemp extracts intended for inhalation, as defined in the bill, that include labeling requirements, batch testing requirements, and tolerances for contaminants of such products. The bill requires any manufacturer of a hemp product, wholesale supplier that sells hemp products, or retail establishment that sells hemp products to register with the Board and pay an annual fee for a license to sell such products and also requires hemp products sold or offered for sale to have certain information included on the label. The bill updates the definition of industrial hemp to match the definition in federal law. We recommend amending the font size requirements as it is too large and making the registration requirement without a fee.

HB 1881 – (strongly support) – Delegate Nick Freitas, DelNFreitas@house.virginia.gov, (804) 698-1030 : The VHC worked with Delegate Freitas to produce this bill. It imposes limits on the powers of the Board of Directors of the Virginia Cannabis Control Authority by prohibiting the Board from granting, suspending, or revoking licenses for the cultivation, manufacture, distribution, sale, or testing of marijuana and marijuana products in a manner that allows for the creation of a monopoly or otherwise lessens competition in the marijuana industry in the Commonwealth. The bill also provides that all citizens of the Commonwealth shall have equal access to apply to the Board for any such license and prohibits the Board from setting the fee for such license in excess of \$1,000. The original draft included no monopolies for hemp product licensing as well. We suggest including that language again. Please thank Delegate Freitas for carrying this bill for the VHC.

HB 1922 – (strongly oppose) – Delegate John McGuire, DelJMcGuire@house.virginia.gov, (804) 698-1056: A misguided bill that criminalizes the cannabinoid Delta-8. Makes it a Class 1 misdemeanor to sell, give, distribute, or possess with intent to sell, give, or distribute delta-8

tetrahydrocannabinol, except as authorized in the Drug Control Act. We need simple and clear labeling and manufacturing regulations for the industry like in Senator Lewis' bill SB 1393, not criminalization.

HB 1750 – (can support with recommendations) – Delegate Michael Weibert, (804) 698-1018, DelMWeibert@house.virginia.gov: Establishes a framework for the creation of a retail marijuana market in the Commonwealth, which would be administered by the Virginia Cannabis Control Authority. The bill allows the Authority to begin issuing marijuana licenses on January 1, 2024, but provides that no marijuana sales may occur prior to January 1, 2025. We can support this bill as long as it does not create any cannabis market monopolies, give any advantages to the existing medical monopoly license holders, keeps the taxation similar to the Virginia beer, wine and cider industries, supports small business and family farmer entry into the market by facilitating craft licenses, and keeps all non-intoxicating hemp products under the oversight of VDACS and not the Virginia Cannabis Control Authority.

HB 1464 – (oppose) – Delegate Keith Hodges, DelKHodges@house.virginia.gov, (804) 698-1098: Establishes a framework for the creation of a retail marijuana market in the Commonwealth, which would be administered by the Virginia Cannabis Control Authority. The bill allows the Authority to begin issuing marijuana licenses on July 1, 2024. The bill allows, beginning July 1, 2023, certain pharmaceutical and certain industrial hemp processors, pending establishment of the retail market, to cultivate, manufacture, and sell cannabis products to persons 21 years of age or older. The VHC cannot support any bill that creates a tightly controlled monopoly cannabis market and one that gives the current medical monopoly licenses holders any more advantages than they already have.

SB 788 – (oppose) – Senator Barbara Favola, district31@senate.virginia.gov, (804) 698-7531 : Transfers oversight and administration of the Commonwealth's medical cannabis program from the Board of Pharmacy to the Virginia Cannabis Control Authority. The medical cannabis monopoly controlled by out of state corporations should integrate into the medical system of Virginia and provide the best cannabis medicine they can innovate for patients as the program was intended, instead of operating as a recreational dispensary under the guise of being a medical cannabis program.

HB 1598 – (oppose) – Delegate Roxann Robinson, DelRRobinson@house.virginia.gov, (804) 698-1027: Companion house bill to Senator Favolas SB 788 (above).

SB 1233 – (support) – Senator Mark Obenshain, district26@senate.virginia.gov, (804) 698-7526: The bill establishes restrictions on marijuana advertisements, including provisions that prohibit advertisements from targeting minors; being placed near schools, playgrounds, and certain other places; being displayed at a sporting event or on a billboard; being misleading, deceptive, or false; referencing the intoxicating effects of marijuana; or promoting consumption by minors.

Please join our Lobby Day Wed, Jan 18th. If you cannot join us in Richmond that day, please call or email your State Senator and Delegate.

More information can be found at: www.vahemp.org/lobbyday

*If you have any questions or comments please don't hesitate to email us : info@vahemp.org
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