



March 3, 2025

Honorable Chairman Bryan Hughes
Texas Senate State Affairs Committee
P.O. Box 12068
Austin, Texas 78711

Re: Written Testimony in Opposition to Senate Bill 3

Dear Chairman Hughes and Committee Members,

I write to express my strong opposition to Senate Bill 3, which seeks to significantly restrict the legal hemp market by re-criminalizing THC and nearly all other cannabinoids. If passed, the bill would limit consumable hemp products to only cannabidiol (CBD) and cannabigerol (CBG), making it a serious crime to possess any other federally legal cannabinoids.

Under this legislation, individuals could face up to one year in jail and a permanent criminal record—penalties that carry lasting consequences, including restricted access to education, employment, and housing. Such measures would take Texas in the wrong direction, contradicting the state's commitment to individual liberty and free enterprise.

While we share Senator Perry's concern regarding youth access and potentially dangerous products slipping through regulatory gaps, we oppose re-criminalizing THC for responsible adult use. Prohibition would only push this multi-billion-dollar industry into the illicit market, eliminating any opportunity for regulation and oversight.

Texas' consumable hemp industry is already regulated at both the state and federal levels, but existing gaps should be addressed with practical solutions. Many retailers voluntarily check IDs and restrict sales to adults, and we support formalizing a legal purchasing age of 21+ for intoxicating hemp products. Testing standards should be strengthened, and the Department of State Health Services (DSHS) must consistently enforce existing regulations.

In the interest of public health and safety, we share a common goal: protecting consumers and preventing underage access to impairing hemp products. Instead of resorting to prohibition—which has historically caused more harm than good—it is essential to implement and enforce sensible regulations.

We support provisions in the bill that establish age restrictions and require child-resistant packaging. Additionally, limiting marketing and advertising to avoid appealing to children and prohibiting the sale of cannabinoid-containing products within 1,000 feet of a school are reasonable safeguards.

To further enhance public health and safety, we propose the following measures:

1. Strengthening Lab Testing Standards and Recall Procedures

- Implement more rigorous lab testing standards to detect contaminants such as pesticides, mold, heavy metals, and, most critically, residual solvents. The primary health risk of many THC products stems from unsafe processing methods and chemical residues.
- While Texas-made products undergo strict testing, out-of-state products are only subject to the regulations of their originating jurisdiction. Texas should establish minimum safety standards for all hemp products sold in-state, regardless of origin.
- Dangerous products should be subject to immediate recall, with DSHS issuing public warnings to protect consumers.

2. Enhancing Licensing and Accountability

- Enforce the registration requirement for all retailers of consumable hemp products, ensuring accountability and traceability.
- Empower DSHS to conduct more frequent and randomized product testing. When unsafe products are identified, manufacturers and retailers must be held responsible.

I urge the Texas Senate State Affairs Committee to oppose SB 3 in its current form. Instead, I encourage you to adopt a balanced approach: restrict THC to adult use, enforce child-resistant packaging and advertising restrictions, strengthen lab testing standards, and bolster regulatory enforcement to prevent youth access and protect consumers.

Thank you for your time and consideration. Please reach out with any questions or concerns.

Toward Liberty,

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