

SENATE BILL No. 280

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-2-3-7; IC 35-48-1-19.

Synopsis: Cannabidiol (CBD) and marijuana. Excludes certain substances with a tetrahydrocannabinol (THC) concentration of not more than 0.3% from the definition of marijuana. Authorizes the alcohol and tobacco commission to adopt rules concerning: (1) the testing of the THC concentration in certain substances; (2) the approval of a laboratory to conduct THC testing; and (3) the certification of THC test results.

Effective: July 1, 2018.

Boots

January 4, 2018, read first time and referred to Committee on Corrections and Criminal Law.



Second Regular Session 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

SENATE BILL No. 280

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 7.1-2-3-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7. ~~Rules and~~
3 ~~Regulations~~. The commission shall have the power to promulgate rules
4 and regulations governing:

5 (a) (1) the conduct of the meetings and business of the
6 commission;

7 (b) (2) the conduct of hearings before any of the commission's
8 representatives;

9 (c) (3) the conduct of the business of a permittee authorized or
10 governed by the provisions of this title;

11 (d) (4) the enforcement of the provisions of this title and of the
12 rules and regulations of the commission;

13 (e) (5) the standards of purity and methods of manufacturing used
14 in the production of alcohol and alcoholic beverages;

15 (f) (6) the prevention of misbranding or adulteration of alcohol or
16 alcoholic beverages; ~~and~~;

17 (g) (7) the prevention of fraud, evasion, trickery, or deceit in the



1 manufacture, labeling, importation, advertisement, transportation,
 2 or sale of alcohol or alcoholic beverages, or the evasion of other
 3 laws of Indiana relating to alcohol or alcoholic beverages; **and**

4 **(8) the manner of:**

5 **(A) testing whether the tetrahydrocannabinol (THC)**
 6 **concentration in a particular substance excludes the**
 7 **substance from the definition of marijuana under**
 8 **IC 35-48-1-19;**

9 **(B) approving a laboratory to conduct the test described in**
 10 **clause (A); and**

11 **(C) certifying the results of the test described in clause (A)**
 12 **conducted by a laboratory described in clause (B).**

13 SECTION 2. IC 35-48-1-19, AS AMENDED BY P.L.165-2014,
 14 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2018]: Sec. 19. (a) "Marijuana" means any part of the plant
 16 genus Cannabis whether growing or not; the seeds thereof; the resin
 17 extracted from any part of the plant, including hashish and hash oil; any
 18 compound, manufacture, salt, derivative, mixture, or preparation of the
 19 plant, its seeds or resin.

20 (b) The term does not include:

21 (1) the mature stalks of the plant;

22 (2) fiber produced from the stalks;

23 (3) oil or cake made from the seeds of the plant;

24 (4) any other compound, manufacture, salt, derivative, mixture,
 25 or preparation of the mature stalks (except the resin extracted
 26 therefrom);

27 (5) the sterilized seed of the plant which is incapable of
 28 germination; **or**

29 (6) industrial hemp (as defined by IC 15-15-13-6);

30 **(7) these substances derived from the cannabis plant:**

31 **(A) cannabidiol;**

32 **(B) tetrahydrocannabivarin;**

33 **(C) cannabigerol;**

34 **(D) other cannabinoids;**

35 **(E) terpenes; or**

36 **(F) any other phytochemicals;**

37 **if the concentration of tetrahydrocannabinol (THC) in the**
 38 **substance is not more than three-tenths of one percent (0.3%),**
 39 **based on the dry weight of the THC; or**

40 **(8) a substance certified by an approved laboratory as being**
 41 **excluded from the definition of marijuana under rules**
 42 **adopted by the alcohol and tobacco commission under**



1 **IC 7.1-2-3-7(8).**

