



SB 33 Amendment Package Outline

Regulated Cannabinoid Access & Medical Flower Pilot Amendment

CARE for Georgia - Stakeholder Proposal

This amendment package allows SB 33 to eliminate unregulated intoxicating hemp products in general retail while creating a protected, Commission-regulated medical pathway for cannabinoids, research, and a pilot program for hemp/medical cannabis (*Cannabis Sativa L*) flower through licensed dispensaries. It aligns Georgia law with federal research standards and emerging Schedule III policy while prioritizing public safety and patient access.

Amendment 1 - Medical Cannabis Exemption (Title 31 Safe Harbor)

Purpose: Prevent SB 33 hemp enforcement from restricting Georgia's medical cannabis program.

- Clarifies that nothing in SB 33 applies to cannabis products lawfully regulated under the Georgia Access to Medical Cannabis Commission.
- Protects patient access and future program expansion.

Nothing in this Act should prohibit the cultivation, processing, dispensing, transfer, possession, or sale of cannabinoid products authorized under the Georgia Access to Medical Cannabis Act, when conducted by a licensed medical cannabis dispensary or other entity authorized by the Commission.

Amendment 2 - Regulated Cannabinoid Class (Not Prohibition)

Purpose: Move intoxicating cannabinoids into a regulated medical channel instead of banning them outright.

- Establishes that intoxicating cannabinoid products may exist only as “regulated cannabinoid products” under Title 31.
- Creates a lawful framework rather than a retail loophole or destruction-only approach.
- “Intoxicating cannabinoid” or any cannabinoid product capable of producing psychoactive effects, including Delta-8 THC, Delta-10 THC, and THCA when marketed or sold for inhalation.

Early research suggests THCA may have anti-inflammatory effects, which could be relevant for:

- arthritis
- autoimmune conditions
- inflammatory bowel disease

This is one of the most commonly studied potential benefits.

Preclinical studies suggest THCA may support neuroprotection, meaning it could have relevance for conditions like:

- Parkinson’s
- Alzheimer’s
- neurodegenerative inflammation

Still early-stage, but promising.

Some evidence indicates THCA may help reduce nausea and vomiting, which could matter for:

- chemotherapy patients
- chronic GI disorders

In medical cannabis programs, THCA is naturally present in:

- flower
- live resin
- rosin
- some full-spectrum oils

THCA is part of the “medical cannabinoid profile,” not just a retail loophole product.

Amendment 3 - Dispensary-Only Distribution Requirement

Purpose: Close the smoke shop/gas station loophole while protecting medical access. Move intoxicating products out of unregulated retail and into authorized, enforceable channels.

Prohibits the sale of intoxicating cannabinoids in general retail.

- Allows access only through licensed medical dispensaries for registered patients.

Policy Result:

Public safety + controlled patient access. No intoxicating cannabinoid product may be sold to the public except through a licensed medical cannabis dispensary or other state-authorized cannabinoid license class established by law or Commission rule.

Amendment 4 - Commission-Regulated Whole-Plant Cannabinoid Access

Purpose: Ensure the Georgia Hemp Farming Act does not unintentionally restrict cannabinoid products or whole-plant therapeutic forms derived from *Cannabis sativa L.* that are authorized and regulated under Georgia's medical cannabis laws. This amendment aligns hemp enforcement with public health oversight by directing intoxicating cannabinoid products away from unregulated retail markets and into Commission-supervised medical and research channels.

Key Provisions:

- Clarifies that nothing in SB 33 shall prohibit or interfere with products, activities, or dispensing authorized by the Georgia Access to Medical Cannabis Commission pursuant to Title 31.
- Preserves the Commission's authority to regulate whole-plant cannabinoid therapeutic forms, including those containing naturally occurring compounds such as THCA, CBD, and CBG.
- Reinforces that intoxicating cannabinoid products must be regulated through lawful medical channels rather than general retail hemp commerce.
- This is a hemp enforcement bill, but it must not conflict with Georgia's medical cannabis commission or block regulated therapeutic cannabinoid access.

Outcome:

SB 33 remains a consumer protection and hemp enforcement bill, while-

maintaining a legally sound pathway for Commission-regulated medical - cannabinoid access and future therapeutic expansion without authorizing adult-use cannabis.

Amendment 5 - Research & Development Safe Harbor (Farm Bill Alignment)

Purpose: Preserve Georgia cannabinoid research and innovation. Provide a controlled pathway for limited retail participation using dispensary/cultivator-sourced product, while generating data for future decisions.

- Protects universities, labs, licensed manufacturers, and Commission-regulated entities conducting lawful R&D.
- Aligns state policy with federal Farm Bill allowances and Schedule III direction.

Outcome:

Innovation protected, loopholes closed. A viable way to test a regulated transition model without creating broad adult-use retail. Adds an R&D and reporting component to support evidence-based policymaking.

Amendment 7 - Enforcement Non-Conflict Clause

Purpose: Prevent overlapping or conflicting enforcement between the Georgia Department of Agriculture's hemp regulatory authority under Title 2 and the Georgia Access to Medical Cannabis Commission's authority under Title 31.

Key Provisions:

- Ensures that seizure, destruction, corrective action plans, and other enforcement mechanisms established under the Georgia Hemp Farming Act do not apply to cannabinoid products or activities lawfully authorized and regulated under Georgia's medical cannabis program.
- Clarifies jurisdictional separation so that Commission-regulated medical cannabis licensees, dispensaries, and registered patients are not inadvertently subject to hemp enforcement actions.

Result:

Establishes a clear and enforceable boundary between hemp consumer protection enforcement and Commission-supervised medical regulation.

Additionally, the Commission and designated agencies shall retain authority to inspect licensed entities, enforce compliance standards, levy civil penalties, and refer egregious violations for prosecution. Regulatory fees may be used to support enforcement capacity, laboratory testing oversight, and compliance education statewide. SB 33 enforcement must remain focused on unregulated hemp retail markets, while preserving the Commission's exclusive authority over lawful medical cannabis products.

Amendment 8 - Marketing, Packaging, and Youth Protection Standards

Purpose:

Prevent intoxicating cannabinoid products from being advertised, marketed, packaged, or promoted in a manner that appeals to minors, and ensure that public safety safeguards remain consistent with regulated access and consumer protection goals under the Georgia Hemp Farming Act.

Key Provisions:

- Prohibits any person or entity from advertising, marketing, or promoting intoxicating cannabinoid products in a manner designed to appeal to individuals under twenty-one (21) years of age.
- Establishes clear restrictions on product presentation to prevent youth-targeted or deceptive packaging practices.

Standards:

Intoxicating cannabinoid products shall not be manufactured, packaged, labeled, or promoted in any manner that:

1. Imitates or resembles commercially available candy, snacks, desserts, or beverages commonly marketed to minors;
2. Uses cartoons, animated characters, toys, youth-oriented imagery, or other features attractive to children;
3. Contains labeling that is false, misleading, or inconsistent with required potency, cannabinoid content, or health warning disclosures;
4. Is designed or intended to evade regulatory oversight, age verification requirements, or enforcement controls.

Result:

Strengthens SB 33's consumer protection intent, reduces youth exposure risk, and aligns intoxicating cannabinoid regulation with established safeguards used for alcohol, tobacco, and other age-restricted products. This amendment ensures-

intoxicating cannabinoid products are not packaged or marketed like candy to children, reinforcing SB 33 as a public safety and family protection measure.”

Note: This document provides policy concepts for discussion. Final statutory text should be prepared by legislative counsel to conform with Georgia code structure and bill formatting.

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