



General Assembly

Amendment

February Session, 2026

LCO No. 4345



Offered by:

REP. LEMAR, 96th Dist.

REP. TURCO, 27th Dist.

REP. ROJAS, 9th Dist.

To: Subst. House Bill No. 5350

File No. 401

Cal. No. 272

(As Amended)

"AN ACT CONCERNING CANNABIS, HEMP AND INFUSED BEVERAGE REGULATION."

1 Strike section 79 in its entirety and substitute the following in lieu
2 thereof:

3 "Sec. 79. Section 21a-421j of the 2026 supplement to the general
4 statutes, as amended by section 78 of this act, is repealed and the
5 following is substituted in lieu thereof (*Effective October 1, 2026*):

6 (a) As used in this section: [, "total THC"]

7 (1) "Other cannabis plant material" (A) means cannabis trim and all
8 parts of any plant or species of the genus cannabis, or any infra specific
9 taxon thereof, excluding a growing plant, and the seeds thereof, and (B)
10 does not include (i) cannabis flower or hemp, as defined in section 22-
11 61l, as amended by this act, or (ii) an uprooted clone or uprooted cutting

12 of the cannabis plant; and

13 (2) "Total THC" has the same meaning as provided in section 21a-240,
14 as amended by this act.

15 (b) The commissioner shall adopt regulations in accordance with
16 chapter 54 to implement the provisions of RERACA. Notwithstanding
17 the requirements of sections 4-168 to 4-172, inclusive, in order to
18 effectuate the purposes of RERACA and protect public health and
19 safety, prior to adopting such regulations the commissioner shall issue
20 policies and procedures to implement the provisions of RERACA that
21 shall have the force and effect of law. The commissioner shall post all
22 policies and procedures on the department's Internet web site and
23 submit such policies and procedures to the joint standing committee of
24 the General Assembly having cognizance of matters relating to
25 consumer protection and the Secretary of the State for posting on the
26 eRegulations System, at least fifteen days prior to the effective date of
27 any policy or procedure. The commissioner shall also provide such
28 policies and procedures, in a manner prescribed by the commissioner,
29 to each licensee. Any such policy or procedure shall no longer be
30 effective upon the earlier of either the adoption of the policy or
31 procedure as a final regulation under section 4-172 or July 1, 2028. The
32 commissioner shall issue policies and procedures and thereafter final
33 regulations that include, but are not limited to, the following:

34 (1) Setting appropriate dosage, potency, concentration and serving
35 size limits and delineation requirements for cannabis, provided (A) a
36 standardized serving of an edible cannabis product or beverage, other
37 than a medical [marijuana] cannabis product, shall contain not more
38 than five milligrams of THC, with an allowable variance for cannabis
39 testing laboratory method uncertainty of up to plus or minus ten per
40 cent of the reported value for THC, and (B) there shall be no dosage,
41 potency or concentration limit for (i) cannabis concentrates, or (ii)
42 cannabis flower or other cannabis plant material.

43 (2) Requiring that each single standardized serving of cannabis

44 product in a multiple-serving edible product or beverage is physically
45 demarked in a way that enables a reasonable person to determine how
46 much of the product constitutes a single serving and a maximum
47 amount of THC per multiple-serving edible cannabis product or
48 beverage.

49 (3) Requiring that, if it is impracticable to clearly demark every
50 standardized serving of cannabis product or to make each standardized
51 serving easily separable in an edible cannabis product or beverage, the
52 product, other than cannabis concentrate, [or medical marijuana]
53 cannabis flower or other cannabis plant material or a medical cannabis
54 product, shall contain not more than five milligrams of THC per unit of
55 sale, with an allowable variance for cannabis testing laboratory method
56 uncertainty of up to plus or minus ten per cent of the reported value for
57 THC.

58 (4) Establishing, in consultation with the Department of Mental
59 Health and Addiction Services, consumer health materials that shall be
60 posted or distributed, as specified by the commissioner, by cannabis
61 establishments to maximize dissemination to cannabis consumers.
62 Consumer health materials may include pamphlets, packaging inserts,
63 signage, online and printed advertisements and advisories and printed
64 health materials.

65 (5) Imposing labeling and packaging requirements for cannabis sold
66 by a cannabis establishment that include, but are not limited to, the
67 following:

68 (A) Inclusion of universal symbols to indicate that cannabis, or a
69 cannabis product, contains THC and is not legal or safe for individuals
70 younger than twenty-one years of age, and prescribe how such product
71 and product packaging shall utilize and exhibit such symbols.

72 (B) A disclosure concerning the length of time it typically takes for
73 the cannabis to affect an individual, including that certain forms of
74 cannabis take longer to have an effect.

75 (C) A notation of the amount of cannabis the cannabis product is
76 considered the equivalent to.

77 (D) A list of ingredients and additives for cannabis.

78 (E) Except as provided in subdivision (3) of subsection (f) of section
79 21a-420p, as amended by this act, child-resistant, tamper-resistant and
80 light-resistant packaging. For the purposes of this subparagraph,
81 packaging shall be deemed to be (i) child-resistant if the packaging
82 satisfies the standard for special packaging established in 16 CFR
83 1700.1(b)(4), as amended from time to time, (ii) tamper-resistant if the
84 packaging has at least one barrier to, or indicator of, entry that would
85 preclude the contents of such packaging from being accessed or
86 adulterated without indicating to a reasonable person that such
87 packaging has been breached, and (iii) light-resistant if the packaging is
88 entirely and uniformly opaque and protects the entirety of the contents
89 of such packaging from the effects of light.

90 (F) Except as provided in subdivision (3) of subsection (f) of section
91 21a-420p, as amended by this act, (i) packaging for cannabis intended
92 for multiple servings to be resealable in such a manner so as to render
93 such packaging continuously child-resistant, as described in
94 subparagraph (E)(i) of this subdivision, and preserve the integrity of the
95 contents of such packaging, and (ii) if packaging for cannabis intended
96 for multiple servings contains any edible cannabis product, for each
97 single standardized serving to be easily discernible and (I) individually
98 wrapped, or (II) physically demarked and delineated as required under
99 this subsection.

100 (G) Impervious packaging that protects the contents of such
101 packaging from contamination and exposure to any toxic or harmful
102 substance, including, but not limited to, any glue or other adhesive or
103 substance that is incorporated in such packaging.

104 (H) Product tracking information sufficient to determine where and
105 when the cannabis was grown and manufactured such that a product

106 recall could be effectuated.

107 (I) A net weight statement.

108 (J) A recommended use by or expiration date.

109 (K) Standard and uniform packaging and labeling, including, but not
110 limited to, requirements (i) regarding branding or logos, (ii) that all
111 packaging be opaque, and (iii) that amounts and concentrations of THC
112 and cannabidiol, per serving and per package, be clearly marked on the
113 packaging or label of any cannabis product sold.

114 (L) For any cannabis flower, other cannabis plant material or cannabis
115 concentrate cannabis product that contains a total THC percentage
116 greater than thirty per cent, a warning that such cannabis flower, other
117 cannabis plant material or cannabis concentrate cannabis product is a
118 high-potency product and may increase the risk of psychosis.

119 (M) Chemotypes, which shall be displayed as (i) "High THC, Low
120 CBD" where the ratio of THC to CBD is greater than five to one and the
121 total THC percentage is at least fifteen per cent, (ii) "Moderate THC,
122 Moderate CBD" where the ratio of THC to CBD is at least one to five but
123 not greater than five to one and the total THC percentage is greater than
124 five per cent but less than fifteen per cent, (iii) "Low THC, High CBD"
125 where the ratio of THC to CBD is less than one to five and the total THC
126 percentage is not greater than five per cent, or (iv) the chemotype
127 described in clause (i), (ii) or (iii) of this subparagraph that most closely
128 fits the cannabis or cannabis product, as determined by mathematical
129 analysis of the ratio of THC to CBD, where such cannabis or cannabis
130 product does not fit a chemotype described in clause (i), (ii) or (iii) of
131 this subparagraph.

132 (N) A requirement that, prior to being sold and transferred to a
133 consumer, qualifying patient, [or] qualifying out-of-state patient,
134 caregiver or qualifying out-of-state caregiver, cannabis packaging be
135 clearly labeled, whether printed directly on such packaging or affixed
136 by way of a separate label, other than an extended content label, with:

137 (i) A unique identifier generated by a cannabis analytic tracking
138 system maintained by the department and used to track cannabis under
139 the policies and procedures issued, and final regulations adopted, by
140 the commissioner pursuant to this section; and

141 (ii) The following information concerning the cannabis contained in
142 such packaging, which shall be in legible English, black lettering, Times
143 New Roman font, flat regular typeface, on a contrasting background
144 and in uniform size of not less than one-tenth of one inch, based on a
145 capital letter "K", which information shall also be available on the
146 Internet web site of the cannabis establishment that sells and transfers
147 such cannabis:

148 (I) The name of such cannabis, as registered with the department
149 under the policies and procedures issued, and final regulations adopted,
150 by the commissioner pursuant to this section.

151 (II) The expiration date, which shall not account for any refrigeration
152 after such cannabis is sold and transferred to the consumer, qualifying
153 patient, [or] qualifying out-of-state patient, caregiver or qualifying out-
154 of-state caregiver.

155 (III) The net weight or volume, expressed in metric and imperial
156 units.

157 (IV) The standardized serving size, expressed in customary units, and
158 the number of servings included in such packaging, if applicable.

159 (V) Directions for use and storage.

160 (VI) Each active ingredient comprising at least one per cent of such
161 cannabis, including cannabinoids, isomers, esters, ethers and salts and
162 salts of isomers, esters and ethers, and all quantities thereof expressed
163 in metric units and as a percentage of volume.

164 (VII) A list of all known allergens, as identified by the federal Food
165 and Drug Administration, contained in such cannabis, or the denotation

166 "no known FDA identified allergens" if such cannabis does not contain
167 any allergen identified by the federal Food and Drug Administration.

168 (VIII) The following warning statement within, and outlined by, a red
169 box:

170 "This product is not FDA-approved, may be intoxicating, cause long-
171 term physical and mental health problems, and have delayed side
172 effects. It is illegal to operate a vehicle or machinery under the influence
173 of cannabis. Keep away from children."

174 (IX) At least one of the following warning statements, rotated
175 quarterly on an alternating basis:

176 "Warning: Frequent and prolonged use of cannabis can contribute to
177 mental health problems over time, including anxiety, depression,
178 stunted brain development and impaired memory."

179 "Warning: Consumption while pregnant or breastfeeding may be
180 harmful."

181 "Warning: Cannabis has intoxicating effects and may be habit-
182 forming and addictive."

183 "Warning: Consuming more than the recommended amount may
184 result in adverse effects requiring medical attention."

185 (X) All information necessary to comply with labeling requirements
186 imposed under the laws of this state and federal law, including, but not
187 limited to, sections 21a-91 to 21a-120, inclusive, and 21a-151 to 21a-159,
188 inclusive, the Federal Food, Drug and Cosmetic Act, 21 USC 301 et seq.,
189 as amended from time to time, and the federal Fair Packaging and
190 Labeling Act, 15 USC 1451 et seq., as amended from time to time, for
191 similar products that do not contain cannabis.

192 (XI) Such additional warning labels for certain cannabis products as
193 the commissioner may require and post on the department's Internet
194 web site.

195 (6) Establishing laboratory testing standards. [,]

196 (7) Establishing consumer disclosures concerning mold and yeast in
197 cannabis. [and]

198 (8) Establishing permitted remediation practices, which practices
199 shall include, but need not be limited to, remediation of cannabis flower
200 or other cannabis plant material by way of one or more exposures to
201 ionizing radiation for any cannabis flower or other cannabis plant
202 material that fails any laboratory testing due to microbial
203 contamination.

204 [(7)] (9) Restricting forms of cannabis products and cannabis product
205 delivery systems to ensure consumer safety and deter public health
206 concerns.

207 [(8)] (10) Prohibiting certain manufacturing methods, or inclusion of
208 additives to cannabis products, including, but not limited to, (A) added
209 flavoring, terpenes or other additives unless approved by the
210 department, or (B) any form of nicotine or other additive containing
211 nicotine.

212 [(9)] (11) Prohibiting cannabis product types that appeal to children,
213 including, but not limited to, facsimiles of foods, beverages and other
214 items that appeal to children.

215 [(10)] (12) Establishing physical and cyber security requirements
216 related to build out, monitoring and protocols for cannabis
217 establishments as a requirement for licensure.

218 [(11)] (13) Placing temporary limits on the sale of cannabis in the
219 adult-use market, if deemed appropriate and necessary by the
220 commissioner, in response to a shortage of cannabis for qualifying
221 patients.

222 [(12)] (14) Requiring retailers and hybrid retailers to make best efforts
223 to provide access to (A) low-dose THC products, including products

224 that have one milligram and two and a half milligrams of THC per dose,
225 and (B) high-dose CBD products.

226 [(13)] (15) Requiring producers, cultivators, micro-cultivators,
227 product manufacturers and food and beverage manufacturers to
228 register brand names for cannabis, in accordance with the policies and
229 procedures and subject to the fee set forth in, regulations adopted under
230 chapter 420f.

231 [(14)] (16) Prohibiting a cannabis establishment from selling, other
232 than the sale of medical [marijuana] cannabis products between
233 cannabis establishments and the sale of cannabis to qualifying patients,
234 [and] qualifying out-of-state patients, caregivers and qualifying out-of-
235 state caregivers, [(A) cannabis flower or other cannabis plant material
236 with a total THC concentration greater than thirty-five per cent on a dry-
237 weight basis, and (B)] any cannabis product [other than cannabis flower
238 and cannabis plant material] with a total THC concentration greater
239 than seventy per cent on a dry-weight basis, except that the provisions
240 of [subparagraph (B) of] this subdivision shall not apply to the sale of
241 cannabis concentrates, cannabis flower or other cannabis plant material
242 or prefilled cartridges for use in an electronic cannabis delivery system,
243 as defined in section 19a-342a, as amended by this act. [and the
244 department may adjust the percentages set forth in subparagraph (A) or
245 (B) of this subdivision in regulations adopted pursuant to this section
246 for purposes of public health or to address market access or shortage.
247 As used in this subdivision, "cannabis plant material" means material
248 from the cannabis plant, as defined in section 21a-279a.]

249 [(15)] (17) Requiring dispensary facilities, hybrid retailers and
250 retailers to display the following types of cannabis in a form and manner
251 prescribed by the department and in an area physically and visually
252 separated from other cannabis for sale at such establishment: (A)
253 Cannabis flower or other cannabis plant material with a total THC
254 concentration greater than thirty per cent on a dry-weight basis, and (B)
255 any cannabis product other than cannabis flower and cannabis plant
256 material with a total THC concentration greater than sixty per cent on a

257 dry-weight basis, excluding prefilled cartridges for use in an electronic
258 cannabis delivery system. [As used in this subdivision, "cannabis plant
259 material" has the same meaning as provided in subsection (j) of section
260 21a-279a.]

261 [(16)] (18) Requiring any dispensary facility, hybrid retailer or retailer
262 that sells any form of cannabis that exceeds the THC concentrations set
263 forth in subdivision [(15)] (17) of this subsection to include the words
264 "Warning - High THC" next to each such form of cannabis on such
265 cannabis establishment's menus and advertisements.

266 [(17)] (19) Prescribing signage to be displayed at a dispensary facility,
267 hybrid retailer or retailer informing consumers, qualifying patients,
268 [and] qualifying out-of-state patients, caregivers and qualifying out-of-
269 state caregivers of health risks associated with cannabis in excess of the
270 THC concentrations set forth in subdivision [(15)] (17) of this subsection.

271 [(18)] (20) Permitting the outdoor cultivation of cannabis.

272 [(19)] (21) Prohibiting packaging that is (A) visually similar to any
273 commercially similar product that does not contain cannabis, or (B) used
274 for any good that is marketed to individuals reasonably expected to be
275 younger than twenty-one years of age.

276 [(20)] (22) Allowing packaging to include a picture of the cannabis
277 product and contain a logo of one cannabis establishment, which logo
278 may be comprised of not more than three colors and provided neither
279 black nor white shall be considered one of such three colors.

280 [(21)] (23) Requiring packaging to (A) be entirely and uniformly one
281 color, and (B) not incorporate any information, print, embossing,
282 debossing, graphic or hidden feature, other than any permitted or
283 required label.

284 [(22)] (24) Requiring that packaging and labeling for an edible
285 cannabis product, excluding the warning labels required under this
286 subsection and a picture of the cannabis product described in

287 subdivision ~~[(20)]~~ (22) of this subsection but including, but not limited
288 to, the logo of the cannabis establishment, shall only be comprised of
289 black and white or a combination thereof.

290 ~~[(23)]~~ (25) (A) Except as provided in subparagraph (B) of this
291 subdivision, requiring that delivery device cartridges be labeled, in a
292 clearly legible manner and in as large a font as the size of the device
293 reasonably allows, with only the following information (i) the name of
294 the cannabis establishment where the cannabis is grown or
295 manufactured, (ii) the cannabis brand, (iii) the total THC and total CBD
296 content contained within the delivery device cartridge, (iv) the
297 expiration date, and (v) the unique identifier generated by a cannabis
298 analytic tracking system maintained by the department and used to
299 track cannabis under the policies and procedures issued, and final
300 regulations adopted, by the commissioner pursuant to this section.

301 (B) A cannabis establishment may emboss, deboss or similarly print
302 the name of the cannabis establishment's business entity, and one logo
303 with not more than three colors, on a delivery device cartridge.

304 ~~[(24)]~~ (26) Prescribing signage to be prominently displayed at
305 dispensary facilities, retailers and hybrid retailers disclosing (A)
306 possible health risks related to mold, and (B) the use and possible health
307 risks related to the use of mold remediation techniques."