

# OFFICE OF FISCAL ANALYSIS

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HB-5350

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

### AMENDMENT

LCO No.: 4259

File Copy No.: 401

House Calendar No.: 272

### ***OFA Fiscal Note***

#### ***State Impact:***

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 27 \$</b>	<b>FY 28 \$</b>
Consumer Protection, Dept.	Cannabis Regulatory Fund - Cost	76,021	98,695
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	30,956	41,274
Various	Various - Potential Revenue Gain	See Below	See Below

Note: Various=Various; GF=General Fund

#### ***Municipal Impact:***

<b>Municipalities</b>	<b>Effect</b>	<b>FY 27 \$</b>	<b>FY 28 \$</b>
Various Municipalities	Potential Revenue Gain	See Below	See Below

#### ***Explanation***

The amendment strikes the underlying bill and its associated fiscal

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<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.82% of payroll in FY 27.

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impact resulting in the impact described below.

The amendment makes various changes to the cannabis statutes resulting in a cost and potential revenue gain.

**Section 54** imposes a fee of \$8,000 for a person acquiring ownership or control of an equity joint venture resulting in a potential revenue gain to the Social Equity and Innovation Account to the extent these transactions occur.

This section also allows the Department of Consumer Protection (DCP) to issue fines of up to \$10 million for a violation of this section, resulting in a potential revenue gain to the General Fund to the extent violations occur.

**Sections 66 & 68** results in a potential increase in state and municipal sales tax revenue by expanding the sale of certain medical use cannabis products to retail consumers.<sup>2</sup>

**Section 79** reduces restrictions on cannabis packaging and labeling resulting in a cost to the state. To enforce these new provisions DCP will need to hire one state program manager for a salary and other expenses cost of \$76,021 in FY 27<sup>3</sup> and \$98,695 in FY 28, along with associated fringe benefits of \$30,956 in FY 27 and \$41,274 in FY 28.

**Sections 93 - 94** also results in a potential increase in state and municipal sales tax revenue by increasing the allowable THC levels in an infused beverage to be sold or offered for sale within the state.

**Section 94** requires infused beverage manufacturers to assess a \$1 fee for each container sold at retail resulting in a potential revenue gain to the consumer protection enforcement account to the extent these sales occur.

The amendment also makes various changes to cannabis statutes that

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<sup>2</sup>Under current law, there is a 3% municipal sales tax on retail cannabis.

<sup>3</sup>Costs in FY 27 reflect nine months of expenditures due to the bill's 10/1/26 effective date.

do not result in a fiscal impact to the state.

*The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*