

**SB66 ENGROSSED**



1 VMC4VP-2  
2 By Senators Melson, Albritton, Sessions  
3 RFD: Healthcare  
4 First Read: 21-Mar-23  
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## SB66 Engrossed

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A BILL  
TO BE ENTITLED  
AN ACT

Relating to cannabis; to prohibit the sale, distribution, marketing, or possession of psychoactive cannabinoids found in hemp for certain age groups; to levy an eight percent tax on the gross proceeds of products containing psychoactive cannabinoids sold at retail; to distribute the gross proceeds of the tax to the State General Fund; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Except as provided in Chapter 2A of Title 20, Code of Alabama 1975, psychoactive cannabinoids derived from or found in hemp as defined in Section 2-8-381, Code of Alabama 1975, including, but not limited to, delta-8-tetrahydrocannabinol and delta-10-tetrahydrocannabinol, shall not be sold, distributed, marketed to, or possessed by an individual who is under 21 years of age.



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29 (b) A violation of subsection (a) shall be a Class B  
30 misdemeanor.

31 (c) Any individual under the age of 21 years violating  
32 subsection (a), shall be issued a citation similar to a  
33 uniform nontraffic citation and shall be fined not less than  
34 fifty dollars (\$50) nor more than two hundred dollars (\$200)  
35 for each violation, and shall be assessed no other court costs  
36 or fees. In addition, on a third or subsequent conviction,  
37 including convictions in district court or municipal court,  
38 the court shall forward a record of the applicable convictions  
39 to the Alabama State Law Enforcement Agency, and the Secretary  
40 of the Alabama State Law Enforcement Agency shall suspend the  
41 driving privileges or driver license of the individual for a  
42 period of not less than three months nor more than six months.

43 Section 2. (a) Commencing October 1, 2024, there is  
44 levied, in addition to all other taxes of every kind now  
45 imposed by law, and shall be collected and remitted in  
46 accordance with Article 1, commencing with Section 40-23-1, of  
47 Chapter 23 of Title 40, Code of Alabama 1975, a tax on the  
48 gross proceeds of the sales of any product containing  
49 psychoactive cannabinoids when sold at retail in this state at  
50 the rate of eight percent of the gross proceeds of the sales.  
51 The taxes generated by this section shall be deposited to the  
52 credit of the State General Fund. For purposes of this  
53 section, "psychoactive cannabinoids" means psychoactive  
54 cannabinoids derived from or found in hemp as defined in  
55 Section 2-8-381, Code of Alabama 1975, including, but not  
56 limited to, delta-8-tetrahydrocannabinol and



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57 delta-10-tetrahydrocannabinol, but does not include medical  
58 cannabis regulated under Chapter 2A of Title 20, Code of  
59 Alabama 1975.

60 (b) The producer value added agricultural product  
61 exemption provided in Sections 40-23-1 and 40-23-4, as last  
62 amended by Act 2022-291 of the 2022 Regular Session, Code of  
63 Alabama 1975, shall not apply to any product containing  
64 psychoactive cannabinoids.

65 (c) The tax proceeds collected pursuant to subsection  
66 (a), shall be distributed in the same manner prescribed by  
67 Section 40-23-35, Code of Alabama 1975.

68 Section 3. Although this bill would have as its purpose  
69 or effect the requirement of a new or increased expenditure of  
70 local funds, the bill is excluded from further requirements  
71 and application under Section 111.05 of the Constitution of  
72 Alabama of 2022, because the bill defines a new crime or  
73 amends the definition of an existing crime.

74 Section 4. This act shall become effective on the first  
75 day of the third month, following its passage and approval by  
76 the Governor or its otherwise becoming law.



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78  
79 Senate

80 Read for the first time and referred .....21-Mar-23  
81 to the Senate committee on  
82 Healthcare  
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84 Read for the second time and placed .....22-Mar-23  
85 on the calendar:  
86 0 amendments  
87  
88 Read for the third time and passed .....04-Apr-23  
89 as amended  
90 Yeas 29  
91 Nays 1  
92 Abstains 0

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95 Patrick Harris,  
96 Secretary.  
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