SB274 INTRODUCED



- 1 SB274
- 2 CXPYBJQ-1
- 3 By Senators Roberts, Waggoner, Barfoot, Stutts, Kitchens,
- 4 Gudger, Weaver, Givhan, Allen, Shelnutt
- 5 RFD: Children and Youth Health
- 6 First Read: 01-Apr-25



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4	SYNOPSIS:
5	Cannabidiol (CBD) is naturally produced in hemp
6	in significant amounts, and delta-9
7	tetrahydrocannabinol (delta-9 THC) is naturally
8	produced in very low amounts. Compounds, including
9	delta-8-tetrahydrocannabinol (delta-8 THC) and
L 0	delta-10-tetrahydrocannabinol (delta-10 THC) can be
1	synthesized from CBD, and delta-9 THC can be
12	concentrated into significant amounts. All of these THC
L 3	compounds are pscyhoactive.
L 4	Under existing law, these THC compounds, which
L 5	are found in or derived from hemp and termed
L 6	"psychoactive cannabinoids," may be sold in Alabama,
L 7	but may not be sold to minors and must be located in an
L 8	area where minors cannot access the products.
L 9	This bill would prohibit any possession and sale
20	of psychoactive cannabinoids, except as permitted under
21	the medical cannabis laws.
22	This bill would also provide criminal penalties
23	for violations.
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26	A BILL
27	TO BE ENTITLED

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AN ACT

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30	Relating to cannabis; to amend Section 13A-12-214.4,
31	Code of Alabama 1975, and add Sections 13A-12-214.5 and
32	13A-12-214.6 to the Code of Alabama 1975; to prohibit the
33	possession and sale of psychoactive cannabinoids; and provide
3 4	for criminal penalties.
35	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
36	Section 1. Section 13A-12-214.4, Code of Alabama 1975,
37	is amended to read as follows:
38	"\$13A-12-214.4
39	(a) As used in For purposes of this section and
40	<u>Sections 13A-12-214.5 and 13A-12-214.6</u> , "psychoactive
41	cannabinoids" means cannabinoids derived from or found in hemp
42	as defined in Section 2-8-381, including, but not limited to,
43	delta-8-tetrahydrocannabinol, delta-9tetrahydrocannabinol, and
4 4	delta-10-tetrahydrocannabinol.
45	(b) Except as provided in Chapter 2A of Title 20,
46	psychoactive cannabinoids shall not be sold, distributed, or
47	marketed to, or possessed by an individual who is under 21
48	years of age.
49	(c) Any psychoactive cannabinoids lawfully sold in this
50	state must be located in an area in which individuals under
51	the age of 21 years are not permitted access.
52	(d) Any person who sells, distributes, or markets
53	psychoactive cannabinoids to individuals under 21 years of age
54	shall be guilty of a Class B misdemeanor.
5.5	(c) Any individual under 21 years of age who is in

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<i>J</i> 1	ereaction similar to a uniform noncraffic creation and shall be
58	fined not less than fifty dollars (\$50) nor more than two
59	hundred dollars (\$200) for each violation or community service
60	in equal value of the fine and shall be assessed no other
61	court costs or fees. In addition, on a third or subsequent
62	conviction, including convictions in district court or
63	municipal court, the individual shall be issued a citation
64	similar to a uniform nontraffic citation and shall be fined
65	four hundred dollars (\$400) for each violation or community
66	service in equal value of the fine.
67	(f) Any psychoactive cannabinoids sold in this state
68	shall be packaged in child-resistant containers
69	(b) Except as otherwise authorized under Chapter 2A of
70	Title 20, a person commits the crime of unlawful possession of
71	psychoactive cannabinoids in the first degree if:
72	(1) He or she possesses psychoactive cannabinoids for
73	other than personal use; or
7 4	(2) He or she possesses psychoactive cannabinoids for
75	his or her personal use only after having been previously
76	convicted of unlawful possession of psychoactive cannabinoids
77	in the second degree or unlawful possession of psychoactive
78	cannabinoids for his or her personal use only.
79	(c) Unlawful possession of psychoactive cannabinoids in
30	the first degree pursuant to subdivision (b)(1) is a Class C
31	felony.
32	(d) Unlawful possession of psychoactive cannabinoids in
3	the first degree pursuant to subdivision (b)(2) is a Class D
3 4	felony."

SUPERIOR SERVICE

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- Section 2. Sections 13A-12-214.5 and 13A-12-214.6 are added to the Code of Alabama 1975, to read as follows:
- 87 \$13A-12-214.5
- (a) Except as otherwise authorized under Chapter 2A of
 Title 20, a person commits the crime of unlawful possession of
 psychoactive cannabinoids in the second degree if he or she
 possesses psychoactive cannabinoids for his or her personal
 use only.
- 93 (b) Unlawful possession of psychoactive cannabinoids in 94 the second degree is a Class A misdemeanor.
- 95 \$13A-12-214.6
- 96 (a) Except as otherwise authorized under Chapter 2A of
 97 Title 20, a person commits the crime of unlawful sale of
 98 psychoactive cannabinoids if he or she produces, manufactures,
 99 sells, offers for sale, delivers, or brings into the state any
 100 psychoactive cannabinoids.
- 101 (b) Unlawful sale of psychoactive cannabinoids is a 102 Class D felony.
- Section 3. This act shall become effective on October 104 1, 2025.