

SB274 INTRODUCED



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



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SYNOPSIS:

Cannabidiol (CBD) is naturally produced in hemp in significant amounts, and delta-9 tetrahydrocannabinol (delta-9 THC) is naturally produced in very low amounts. Compounds, including delta-8-tetrahydrocannabinol (delta-8 THC) and delta-10-tetrahydrocannabinol (delta-10 THC) can be synthesized from CBD, and delta-9 THC can be concentrated into significant amounts. All of these THC compounds are psychoactive.

Under existing law, these THC compounds, which are found in or derived from hemp and termed "psychoactive cannabinoids," may be sold in Alabama, but may not be sold to minors and must be located in an area where minors cannot access the products.

This bill would prohibit any possession and sale of psychoactive cannabinoids, except as permitted under the medical cannabis laws.

This bill would also provide criminal penalties for violations.

A BILL
TO BE ENTITLED
AN ACT



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29
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
34 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 Sections 13A-12-214.5 and 13A-12-214.6, "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
44 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.~~

55 ~~(e) Any individual under 21 years of age who is in~~
56 ~~possession of psychoactive cannabinoids shall be issued a~~



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85 Section 2. Sections 13A-12-214.5 and 13A-12-214.6 are
86 added to the Code of Alabama 1975, to read as follows:

87 §13A-12-214.5

88 (a) Except as otherwise authorized under Chapter 2A of
89 Title 20, a person commits the crime of unlawful possession of
90 psychoactive cannabinoids in the second degree if he or she
91 possesses psychoactive cannabinoids for his or her personal
92 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.

103 Section 3. This act shall become effective on October
104 1, 2025.