

# HB590 INTRODUCED



1 HB590  
2 W1LS8E9-1  
3 By Representative Rigsby  
4 RFD: Health  
5 First Read: 10-Mar-26



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SYNOPSIS:

Under existing law, retailers of consumable hemp products must be licensed and are regulated by the Alabama Alcoholic Beverage Control Board. Existing law authorizes pharmacies that are licensed by the ABC Board to sell topical and sublingual consumable hemp products only.

This bill would exempt pharmacies from licensing and oversight by the ABC Board and allow these pharmacies to sell consumable hemp products at retail, provided the pharmacies are permitted by the Alabama Board of Pharmacy and are in compliance with testing, labeling, packaging, and other safety requirements relating to consumable hemp products.

This bill would also require the Alabama Board of Pharmacy to enforce these provisions and authorize the board to adopt rules.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to pharmacies; to add Section 28-12-6 to the Code of Alabama 1975, to authorize pharmacies permitted by the



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29 Alabama Board of Pharmacy to sell consumable hemp products  
30 that meet specific safety standards without needing to obtain  
31 a license from, nor be under the jurisdiction of, the ABC  
32 Board and to authorize the Alabama Board of Pharmacy to  
33 enforce these safety standards; and to amend Section 28-12-45,  
34 Code of Alabama 1975, added by Act 2025-385 of the 2025  
35 Regular Session, to exempt pharmacies that sell consumable  
36 hemp products from licensing and oversight by the ABC Board.  
37 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

38 Section 1. Section 28-12-6 is added to the Code of  
39 Alabama 1975, to read as follows:

40 §28-12-6

41 (a) Notwithstanding Sections 28-12-44 and 28-12-45 and  
42 any other provision of this chapter that prohibits the sale of  
43 a consumable hemp product without a license issued by the  
44 board, a pharmacy located in this state that holds a valid  
45 permit issued by the Alabama Board of Pharmacy may sell at  
46 retail consumable hemp products without obtaining a license  
47 from, or being subject to oversight by the Alcoholic Beverage  
48 Control Board, provided the pharmacy complies with all of the  
49 following:

50 (1) All consumable hemp products must be sold by a  
51 licensed pharmacist or by a pharmacy technician or employee  
52 who is under the direct supervision and control of a licensed  
53 pharmacist.

54 (2) Consumable hemp products may only be sold to  
55 individuals 21 years of age or older and the sale must be in  
56 compliance with Section 28-12-48.



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57 (3) All consumable hemp products sold or offered for  
58 sale in a pharmacy must be in compliance with Article 2.

59 (b) The Alabama Board of Pharmacy shall enforce this  
60 section and may adopt rules to implement this section.

61 Section 2. Section 28-12-45, Code of Alabama 1975,  
62 added by Act 2025-385 of the 2025 Regular Session, is amended  
63 to read as follows:

64 "§28-12-45

65 (a) Other than pharmacies selling ~~topical or sublingual~~  
66 consumable hemp products pursuant to ~~subsection (b)~~ Section  
67 28-12-6 and retail food stores selling beverage consumable  
68 hemp products pursuant to subsection ~~(e)~~ (b), all retailer  
69 establishments must be restricted so that only those  
70 individuals 21 years of age or older are permitted to enter  
71 and the establishment has its own dedicated public entrance.  
72 Except as provided in subsection (b) ~~and (e)~~, the board shall  
73 only issue retailer licenses to persons:

74 (1) That have a valid retail liquor license from the  
75 board which authorizes off-premises consumption only; or

76 (2) That only sell consumable hemp products.

77 ~~(b) Topical and sublingual consumable hemp products may~~  
78 ~~be sold in a pharmacy licensed by the Alabama State Board of~~  
79 ~~Pharmacy, provided the pharmacy obtains a consumable hemp~~  
80 ~~product retailer license from the Alcoholic Beverage Control~~  
81 ~~Board and complies with this chapter and rules of the board.~~  
82 ~~Any topical consumable hemp product sold in a pharmacy must be~~  
83 ~~sold by a licensed pharmacist or by a pharmacy technician or~~  
84 ~~employee who is under the direct supervision and control of a~~



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85 ~~licensed pharmacist. This subsection does not prohibit a~~  
86 ~~retailer described in subsection (a) from selling topical or~~  
87 ~~sublingual consumable hemp products in that retailer's~~  
88 ~~licensed premises.~~

89 ~~(e)~~ (b) (1) Consumable hemp products that are beverages  
90 may be sold in a retail food store, provided the retail food  
91 store obtains a consumable hemp product retailer license from  
92 the board and complies with this chapter and rules of the  
93 board. Consumable hemp product beverages sold in a retail food  
94 store must be kept in an area that is: (i) separated from  
95 nonalcoholic beverages or beverages intended for children;  
96 (ii) behind glass; and (iii) demarcated by a sign indicating  
97 that the beverages contain hemp-derived compounds. This  
98 subsection does not prohibit a retailer described in  
99 subsection (a) from selling consumable hemp product beverages  
100 in that retailer's licensed premises.

101 (2) For purposes of this subsection, "retail food  
102 store" means any store commonly known as a supermarket, food  
103 store, or grocery store, primarily engaged in the retail sale  
104 of a variety of canned goods, frozen foods, nonalcoholic  
105 beverages, dry goods, either packaged or in bulk, and fresh  
106 produce or meats, and the store dedicates: (i) a minimum of 75  
107 percent of the store's selling area to the sale of food items  
108 listed in this subdivision; and (ii) at least 14,000 square  
109 feet of the store's footprint to the sale of food items listed  
110 in this subdivision.

111 ~~(d)~~ (c) (1) A retailer described in subsection (a) shall  
112 maintain at its licensed premises a minimum of 500 square feet



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113 of sales and service area. A retailer may not include in the  
114 calculation of sales and service area any areas that are not  
115 open to customers or not used for sales or displaying  
116 consumable hemp products, such as office space or storage.

117 (2) A retailer must have an employee present in the  
118 sales and service area of the licensed premises at all times  
119 the premises is open to customers.

120 (3) The purchase of all consumable hemp products must  
121 take place in the licensed premises.

122 ~~(e)~~ (d) A retailer shall display the retailer license in  
123 the licensed premises in a conspicuous manner."

124 Section 3. This act shall become effective on June 1,  
125 2026.