

HOUSE No. 170

The Commonwealth of Massachusetts

PRESENTED BY:

Dawne Shand

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act addressing public health risks related to cannabis products.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Dawne Shand</i>	<i>1st Essex</i>	<i>1/16/2025</i>

HOUSE No. 170

By Representative Shand of Newburyport, a petition (accompanied by bill, House, No. 170) of Dawne Shand for legislation to address public health risks related of certain cannabis products. Cannabis Policy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act addressing public health risks related to cannabis products.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 29 of the General Laws is hereby amended by inserting, after
2 Section 2JJJJJ, the following section:-

3 Section 2KKKKKK. (a) There shall be established and set up on the books of the
4 commonwealth a separate fund, to be known as the Cannabis Products Recall Fund. It shall
5 consist of amounts credited to the fund in accordance with this section. The commissioner of the
6 department of public health shall be the custodian of the fund.

7 (b) The fund shall consist of: (i) funds transferred from the Marijuana Regulation Fund
8 established in section 14 of chapter 94G; (ii) revenue from appropriations or other money
9 authorized by the general court and specifically designated to be credited to the fund; and (iii)
10 interest earned on money in the fund. Amounts credited to the fund shall not be subject to further
11 appropriation and any money remaining in the fund at the end of a fiscal year shall not revert to
12 the General Fund.

13 (c) Money in the fund shall be expended for mandatory product recalls of any THC-
14 containing products cultivated, processed, manufactured, delivered or sold by any establishment
15 in the commonwealth pursuant to section 249 of chapter 111.

16 (d) The department of public health shall annually, not later than December 31, report on
17 the activity of the fund to the: (i) joint committee on cannabis policy; joint committee on public
18 health; (iii) house and senate committees on ways and means; and (iv) clerks of the house of
19 representatives and senate.

20 SECTION 2. Chapter 111 of the General Laws is hereby amended by adding the
21 following section:-

22 Section 249. (a) Notwithstanding chapter 94G, the commissioner shall adopt and
23 promulgate rules and regulations for a process to order mandatory product recalls of any THC-
24 containing products cultivated, processed, manufactured, delivered or sold in any establishment,
25 and may, in like manner and from time to time, amend, modify or repeal the same. Such rules
26 and regulations shall be consistent with applicable rules and regulations of the cannabis control
27 commission or any successor agency with like regulatory powers; provided that, these
28 requirements are consistent with the most recent research and testing data on marijuana product
29 safety.

30 (b) The commissioner shall provide language for the rules and regulations, based on the
31 most relevant scientific research on the health risks to the consumer of ingesting, injecting or
32 inhaling products containing THC or derivatives of THC. The cannabis control commission or
33 any successor agency with like regulatory powers shall determine the best means of distributing
34 this language to consumers in establishments under the agency's purview.

35 (c) This section shall be funded by Cannabis Products Recall Fund established in section
36 2KKKKKK of chapter 29.