

**HOUSE . . . . . No.**

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**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 requiring the Cannabis Control Commission to regulate intoxicating hemp products.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Dawne Shand</i>	<i>1st Essex</i>	<i>1/15/2025</i>

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

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

An Act requiring the Cannabis Control Commission to regulate intoxicating hemp 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 XX. Chapter 94G, as so appearing, is hereby further amended by adding the  
2 following sections:-

3           Section 23. (a) As used in sections 23-24, the following words shall, unless the context  
4 clearly requires otherwise, have the following meanings:-

5           “Artificially derived”, the creation of a chemical substance by a chemical reaction that  
6 changes the molecular structure of any chemical substance.

7           “Cannabidiol (CBD)” means a nonpsychoactive cannabinoid found in the cannabis sativa  
8 plant. CBD has the formula C<sub>21</sub>H<sub>30</sub>O<sub>2</sub> and chemical structure, inclusive of stereochemical  
9 variations. CBD is not tetrahydrocannabinol.

10           “Cannabinoids” means compounds structurally defined as a diverse class of C<sub>21</sub> or C<sub>22</sub>  
11 terpenophenolic compounds found in Cannabis sativa L., their carboxylic acids, analogs, and  
12 transformation products. Cannabinoids, for the purposes of this chapter, shall include structurally

13 unrelated cannabimimetic compounds. The main cannabinoids found in cannabis plants are  
14 Tetrahydrocannabinol (THC) and Cannabidiol (CBD). In addition to THC and CBD, there are  
15 more than 100 cannabinoids that could be identified.

16 “Cannabimimetic”, a compound that is not structurally a cannabinoid, but which can  
17 elicit a biological response similar to those produced by cannabinoids by acting directly or  
18 indirectly on cannabinoid receptors in the body.

19 “Delta-8-tetrahydrocannabinol (Delta-8-THC)”, a psychoactive cannabinoid compound  
20 found in the Cannabis sativa plant, but does not occur in naturally significant amounts. It has the  
21 chemical formula  $C_{21}H_{30}O_2$  and the chemical structure inclusive of stereochemical variations.

22 “Delta-9-tetrahydrocannabinol (Delta-9-THC)”, a psychoactive cannabinoid compound  
23 found in the Cannabis sativa plant, and the primary psychoactive compound found in marijuana.  
24 Delta-9 THC has the formula  $C_{21}H_{30}O_2$  and the chemical structure inclusive of stereochemical  
25 variations.

26 “Dry weight basis”, a method of determining the percentage of a chemical in a substance  
27 after removing the moisture from the substance. The ratio of the amount of moisture in a sample  
28 to the amount of dry solid in a sample.

29 “Decarboxylation”, a process of treating a cannabis material or product to remove  
30 carboxyl groups from the cannabinoids native in the plant, to form transformation products such  
31 as THC and CBD. Decarboxylation is commonly accomplished by application of heat.  
32 Decarboxylation is not considered a synthetic process.

33 “Hemp-derived cannabinoid product”, a product derived from hemp intended for human  
34 consumption, by means including, but not limited to ingestion, injection or inhalation, that  
35 contains more than .5 milligrams of total tetrahydrocannabinol (THC) per any serving or other  
36 individual unit, and 2.5 milligrams per multi-serving package, container, or packages or  
37 containers sold as a single unit.

38 “Intoxicating tetrahydrocannabinols”, naturally occurring, synthetically derived,  
39 artificially derived, isomerized, or synthetically converted tetrahydrocannabinols which, when  
40 consumed, have the potential to induce disturbances in nervous system function and may result  
41 in changes in cognition, perception, judgement, mood, consciousness, or behavior, that resolve  
42 with time.

43 “Isomers”, molecules or polyatomic ions with identical molecular formulae (i.e., the  
44 same number of atoms of each element) but distinct arrangements of atoms in space.

45 “Isomerization”, is the process in which a molecule, polyatomic ion or molecular  
46 fragment is transformed into an isomer with a different chemical structure.

47 “Tetrahydrocannabinol (THC)”, (i) all naturally, synthetically or artificially derived  
48 tetrahydrocannabinols, or any structural, optical or geometric isomers or analogs of  
49 tetrahydrocannabinols, which include but are not limited to, Delta-1 tetrahydrocannabinol; Delta-  
50 6 tetrahydrocannabinol; Delta 3,4 tetrahydrocannabinol; Delta-8 tetrahydrocannabinol; Delta-9  
51 tetrahydrocannabinol; Delta-10 tetrahydrocannabinol, Delta-11 tetrahydrocannabinol; (ii) any  
52 other intoxicating tetrahydrocannabinols, (iii) any other naturally or artificially derived  
53 cannabinoid that has an intoxicating or psychoactive effect; and (iv) any other chemically similar  
54 compound, substance, derivative, or isomer of tetrahydrocannabinol.

55           “Tetrahydrocannabinolic acid (THCA)”, a naturally occurring cannabinoid compound  
56 found in the cannabis sativa plant. THCA is the precursor to THC through decarboxylation.  
57 THCA has the chemical formula C<sub>22</sub>H<sub>30</sub>O<sub>4</sub>.

58           (b) No person may engage in the sale or transfer of hemp-derived cannabinoid products  
59 or Tetrahydrocannabinolic acid (THCA) without receiving an intoxicating hemp endorsement  
60 from the commission. The commission shall impose and collect fees pursuant to section 4 for  
61 intoxicating hemp endorsements.

62           (c) All THC, CBD, hemp and hemp derived cannabinoids shall be tested by an  
63 independent testing laboratory licensed by the commission prior to any sale or transfer to another  
64 person, consumer or patient within the commonwealth.

65           (d) The commission shall issue rules and promulgate or amend regulations necessary to  
66 implement this section.

67           (e) This section shall not be construed to prevent the cultivation and production of hemp  
68 pursuant to sections 116-123 of chapter 128 of the General Laws, or to prevent the interstate  
69 transportation of hemp or hemp-derived products in compliance with federal law.

70           Section 24. Whoever violates section 23(b) shall be punished by imprisonment for not  
71 more than 1 year in the house of correction or by a fine of not more than \$25,000 per day, or by  
72 both such fine and imprisonment.