

By: Rosenthal, Cain, Bernal, Plesa, et al.

H.B. No. 4918

A BILL TO BE ENTITLED

AN ACT

relating to the processing, manufacture, and sale of hemp products for smoking.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 122.301(b), Agriculture Code, is amended to read as follows:

(b) A state agency may ~~[not]~~ authorize a person to manufacture a product containing hemp for smoking. For the purposes of this subsection, "smoking" means burning or igniting a substance and inhaling the smoke or heating a substance and inhaling the resulting vapor or aerosol ~~[, as defined by Section 443.001, Health and Safety Code]~~.

SECTION 2. Section 443.204, Health and Safety Code, is amended to read as follows:

Sec. 443.204. RULES RELATED TO SALE OF CONSUMABLE HEMP PRODUCTS. Rules adopted by the executive commissioner regulating the sale of consumable hemp products must to the extent allowable by federal law reflect the following principles:

(1) hemp-derived cannabinoids, including cannabidiol, are not considered controlled substances or adulterants;

(2) products containing one or more hemp-derived cannabinoids, such as cannabidiol, intended for ingestion are considered foods, not controlled substances or adulterated products; and

1 (3) consumable hemp products must be packaged and
2 labeled in the manner provided by Section 443.205 [~~and~~
3 ~~[(4) the processing or manufacturing of a consumable~~
4 ~~hemp product for smoking is prohibited]~~].

5 SECTION 3. Section 443.001(11), Health and Safety Code, is
6 repealed.

7 SECTION 4. This Act takes effect September 1, 2023.