

Amend CSHB 3948 (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 122.301, Agriculture Code, is amended by adding Subsection (c) to read as follows:

(c) Notwithstanding Subsection (b), a person may manufacture products described by that subsection in this state if:

(1) the products are sold only to persons located outside this state; and

(2) the person was manufacturing or processing consumable hemp products, as those terms are defined by Section 443.001, Health and Safety Code, in this state on May 22, 2019.

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

Sec. 443.204. RULES RELATED TO SALE OF CONSUMABLE HEMP PRODUCTS. (a) 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;

(3) consumable hemp products must be packaged and labeled in the manner provided by Section 443.205; and

(4) the processing or manufacturing of a consumable hemp product for smoking is prohibited.

(b) Notwithstanding Subsection (a)(4), a person may manufacture products described by that subsection in this state if:

(1) the products are sold only to persons located outside this state; and

(2) the person was manufacturing or processing consumable hemp products in this state on May 22, 2019.