

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 54
AN ACT

To amend chapters 144 and 195, RSMo, by adding thereto twenty-seven new sections relating to cannabis, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapters 144 and 195, RSMo, are amended by
2 adding thereto twenty-seven new sections, to be known as
3 sections 144.028, 195.800, 195.819, 195.900, 195.2540,
4 195.2550, 195.2555, 195.2560, 195.2563, 195.2564, 195.2565,
5 195.2575, 195.2580, 195.2585, 195.2590, 195.2595, 195.2597,
6 195.2598, 195.2600, 195.2605, 195.2607, 195.2610, 195.2615,
7 195.2617, 195.2620, 195.2625, and 195.2630, to read as follows:

144.028. 1. As used in this section, the term "hemp-
2 derived consumable beverage product" shall have the same
3 meaning given to the term in section 195.2550.

4 2. For all tax years beginning on or after January 1,
5 2026, an excise tax is hereby levied and imposed upon the
6 retail sale of hemp-derived consumable beverage products to
7 consumers within this state. The rate of tax shall be nine
8 percent of the retail purchase price paid or charged and
9 shall be in addition to any tax imposed under any other
10 provision of federal, state, or local law.

11 3. The tax imposed under this section is intended to
12 be passed on to and borne by the purchaser of the hemp-
13 derived consumable beverage products. The tax is a debt
14 from the purchaser to the retailer until paid and is
15 recoverable at law by the retailer in the same manner as

16 other debts. A retailer is considered to act as a trustee
17 on behalf of the state when it collects tax from the
18 purchaser on a taxable transaction. The tax shall be stated
19 and charged separately on any documentation provided to the
20 purchaser by the retailer at the time of the transaction.

195.800. 1. Notwithstanding any other provision of
2 law to the contrary, no state agency, including employees
3 therein, shall disclose to the federal government, any
4 federal government employee, or any unauthorized third party
5 the statewide list or any individual information of persons
6 who have applied for or obtained a qualifying patient
7 identification card, a qualifying patient cultivation
8 identification card, or a primary caregiver identification
9 card, as those cards are described in Article XIV, Section 1
10 of the Constitution of Missouri relating to the right to
11 access medical marijuana, unless required to do so pursuant
12 to a subpoena or court order issued by a court of competent
13 jurisdiction.

14 2. Any person who knowingly violates the provisions of
15 this section shall be guilty of a class E felony.

195.819. Upon the written request of a consumer,
2 marijuana dispensary facilities, as described in Article XIV
3 of the Constitution of Missouri, shall not create or retain
4 any record containing the consumer's identifying
5 information. The provisions of this section shall not apply
6 to any record-keeping requirements relating to qualifying
7 patients and primary caregivers under Article XIV, Section 1
8 of the Constitution of Missouri. Any dispensary facility
9 that violates the provisions of this section shall be
10 assessed a five-hundred-dollar fine per occurrence.

195.900. 1. This section shall be known and may be
2 cited as the "Intoxicating Cannabinoid Control Act".

3 2. As used in this section, the following terms mean:

4 (1) "Cannabinoid", ligands that are plant-derived,
5 synthetic, or semisynthetic and have an affinity for and
6 activity at cannabinoid receptors;

7 (2) "CBD", cannabidiol, a nonintoxicating cannabinoid
8 found in cannabis and hemp;

9 (3) "Department", the department of health and senior
10 services;

11 (4) "Hemp", the plant *Cannabis sativa L.* and any part
12 of that plant, including the seeds thereof and all
13 derivatives, extracts, cannabinoids, isomers, acids, salts,
14 and salts of isomers, whether growing or not, with a delta-9
15 tetrahydrocannabinol concentration of not more than three-
16 tenths of one percent on a dry-weight basis;

17 (5) "Hemp-derived consumable beverage product", the
18 same meaning given to the term in section 195.2550;

19 (6) "Intoxicating cannabinoid":

20 (a) Any cannabinoid, however derived or created, that
21 has an intoxicating effect when consumed or otherwise
22 ingested, regardless of whether the cannabinoid was created
23 or developed through natural means or through chemical
24 conversion, isomerization, synthetic derivation, heat, or
25 any other process by which molecules may be manipulated
26 including, but not limited to, tetrahydrocannabinolic acid
27 (THCA); and

28 (b) Any cannabinoid, semisynthetic or synthetic
29 cannabinoid, or precursor to an intoxicating cannabinoid
30 that may become intoxicating when heated, decarboxylated, or
31 otherwise manipulated, excluding, without limitation, CBD
32 and hemp-derived consumable beverage products.

33 The term "intoxicating cannabinoid" shall be construed to
34 conform to, and be included in, the definition of
35 "marijuana" under Article XIV of the Constitution of
36 Missouri, but shall not be construed to conform to or be

37 included in the definition of "hemp" in this section or in
38 the definition of "industrial hemp" in section 195.010. The
39 term "intoxicating cannabinoid" shall not include any hemp-
40 derived consumable beverage product;

41 (7) "Marijuana", the same meaning given to the term in
42 Article XIV of the Constitution of Missouri. The term
43 "marijuana" shall not be construed to conform to or be
44 included in the definition of "hemp" in this section.

45 3. The general assembly hereby declares that the state
46 of Missouri has a compelling interest in ensuring that
47 products containing intoxicating cannabinoids are regulated
48 in relation to the standards applied to similar products,
49 including, but not limited to, robust safety, testing,
50 packaging, and labeling requirements, as well as safeguards
51 to prohibit the consumption of intoxicating cannabinoids by
52 children. It is the intent of this section that
53 intoxicating cannabinoid products should be subject to the
54 legal framework contained in Article XIV of the Constitution
55 of Missouri, under which the purchase, possession,
56 consumption, use, delivery, manufacturing, and sale of
57 marijuana is regulated by the department.

58 4. Hemp, industrial hemp, hemp-derived consumable
59 beverage products, and hemp-derived products that do not
60 contain intoxicating cannabinoids shall not be considered
61 marijuana and shall not be subject to the legal framework
62 contained in Article XIV of the Constitution of Missouri.
63 Nothing in this section shall be interpreted to regulate
64 hemp, industrial hemp, hemp-derived consumable beverage
65 products, or products that do not contain intoxicating
66 cannabinoids, and the provisions of this section shall not
67 be interpreted in a manner that would conflict with or
68 otherwise preempt the Agriculture Improvement Act of 2018,
69 P.L. 115-334.

70 5. Nothing in this section shall be construed to
71 prohibit the interstate commerce of hemp or the
72 transportation or shipment of hemp through this state.

73 6. Notwithstanding any provision of law to the
74 contrary, all intoxicating cannabinoid products are
75 marijuana and shall be regulated by the department in the
76 same manner as the department regulates marijuana under
77 Article XIV of the Constitution of Missouri including, but
78 not limited to, requiring intoxicating cannabinoid products
79 to be subject to the same growing, manufacturing,
80 dispensing, transportation, advertising, marketing, testing,
81 packaging, and labeling requirements as marijuana and
82 requiring all intoxicating cannabinoid products to be
83 cultivated, manufactured, and sold only at a licensed
84 comprehensive facility, medical facility, or marijuana
85 microbusiness facility, as such terms are defined in Article
86 XIV of the Constitution of Missouri. The department shall
87 regulate all intoxicating cannabinoid products consistent
88 with, and in addition to, other natural marijuana products
89 in accordance with its constitutionally-mandated requirement
90 to regulate marijuana within the framework of Article XIV of
91 the Constitution of Missouri.

92 7. No person or entity engaged in the sale of products
93 that contain CBD, hemp, marijuana, cannabinoids, or
94 intoxicating cannabinoids or in the sale of paraphernalia to
95 aid in the human consumption of such products, other than a
96 comprehensive marijuana dispensary facility, medical
97 marijuana dispensary facility, or microbusiness dispensary
98 facility, as such terms are defined in Article XIV of the
99 Constitution of Missouri, shall carry on, conduct, or
100 transact business under a name that contains as part of the
101 name the word "dispensary" or any word of similar import.

102 8. The department shall collaborate with the
103 department of public safety and all other pertinent law
104 enforcement agencies in this state to ensure the provisions
105 of this section are enforced.

106 9. The department of health and senior services shall
107 promulgate all rules and regulations necessary to implement
108 the provisions of this section. The department and the
109 department of public safety shall actively and aggressively
110 enforce the provisions of this section and all department
111 rules and regulations promulgated under this section. Any
112 rule or portion of a rule, as that term is defined in
113 section 536.010, that is created under the authority
114 delegated in this section shall become effective only if it
115 complies with and is subject to all of the provisions of
116 chapter 536 and, if applicable, section 536.028. This
117 section and chapter 536 are nonseverable and if any of the
118 powers vested with the general assembly pursuant to chapter
119 536 to review, to delay the effective date, or to disapprove
120 and annul a rule are subsequently held unconstitutional,
121 then the grant of rulemaking authority and any rule proposed
122 or adopted after August 28, 2025, shall be invalid and void.

195.2540. Sections 195.2540 to 195.2630 shall be known
2 and may be cited as the "Hemp-Derived Consumable Beverage
3 Products Act".

195.2550. As used in sections 195.2540 to 195.2630,
2 unless the context otherwise requires, the following terms
3 mean:

4 (1) "Batch", a specific quantity of hemp-derived
5 consumable beverage product that is manufactured at the same
6 time and using the same methods, equipment, and ingredients;
7 that is uniform and intended to meet specifications for
8 identity, strength, purity, and composition; and that is

9 manufactured, packaged, and labeled according to a single
10 batch production record executed and documented;

11 (2) "Batch number", a unique numeric or alphanumeric
12 identifier assigned to a batch of hemp-derived consumable
13 beverage products;

14 (3) "Business", any of the following licensed under
15 sections 195.2540 to 195.2630:

16 (a) A distributor;

17 (b) A retailer; or

18 (c) A manufacturer;

19 (4) "Counter", the point of purchase at a retail
20 establishment;

21 (5) "Department", the department of health and senior
22 services;

23 (6) "Distributor", a person or entity that purchases
24 hemp-derived consumable beverage products from manufacturers
25 and sells them to retailers;

26 (7) "Division", the division of alcohol and tobacco
27 control of the department of public safety;

28 (8) "Franchise", a written or oral arrangement for a
29 definite or indefinite period, in which a person grants to
30 another person a license to use a trade name, trademark,
31 service mark, or related characteristic, and in which there
32 is a community of interest in the marketing of goods or
33 services at wholesale, at retail, by lease, by agreement, or
34 otherwise including, but not limited to, a commercial
35 relationship of definite duration or continuing indefinite
36 duration between a hemp-derived consumable beverage product
37 manufacturer and a hemp-derived consumable beverage product
38 distributor wherein a hemp-derived consumable beverage
39 product distributor is granted the right to offer, sell, and
40 distribute within this state or any designated area thereof
41 some or all of the hemp-derived consumable beverage product

42 manufacturer's hemp-derived consumable beverage products to
43 hemp-derived consumable beverage product retailers;

44 (9) "Hemp", the plant *Cannabis sativa L.* and any part
45 of that plant, including the seeds thereof and all
46 derivatives, extracts, cannabinoids, isomers, acids, salts,
47 and salts of isomers, whether growing or not, with a delta-9
48 tetrahydrocannabinol concentration of not more than three-
49 tenths of one percent on a dry-weight basis;

50 (10) "Hemp-derived consumable beverage product", a
51 hemp-derived product that is a liquid intended for ingestion
52 that contains cannabinoids derived from hemp, provided that
53 the product:

54 (a) Is sold in a single-use package consisting of
55 servings that contain no more than five milligrams of
56 intoxicating cannabinoids and no more than twenty milligrams
57 of intoxicating cannabinoids in a multi-unit package of
58 single-use units and clearly indicates the serving size on
59 the package; and

60 (b) The product does not contain cannabinoids that
61 were created or developed through chemical conversion,
62 isomerization, synthetic derivation, heat, or any other
63 process by which molecules may be manipulated;

64 (11) "Ingestion", the process of consuming a hemp-
65 derived consumable beverage product through the mouth by
66 swallowing into the gastrointestinal system or through
67 tissue absorption;

68 (12) "Intoxicating cannabinoid", the same meaning as
69 in section 195.900;

70 (13) "License", a license issued in accordance with
71 sections 195.2540 to 195.2630;

72 (14) "Manufacture", to compound, blend, extract,
73 infuse, or otherwise make or prepare products containing a
74 hemp-derived cannabinoid, including the processes of

extraction, infusion, packaging, repackaging, labeling, and relabeling of products containing a hemp-derived cannabinoid;

(15) "Manufacturer", any person who engages in the process of manufacturing, preparing, or packaging hemp-derived consumable beverage products;

(16) "Proof of age", a valid driver's license or other government-issued identification card that contains a photograph of the person and confirms the person's age as twenty-one years or older;

(17) "Retail establishment", a place of business open to the general public for the sale of goods or services;

(18) "Retailer", a person who or entity that sells hemp-derived consumable beverage products for consumption and not for resale;

(19) "Serving", the amount of a hemp-derived consumable beverage product the manufacturer suggests be consumed at a single time.

195.2555. 1. A person or entity shall not:

(1) Sell or offer for sale a hemp-derived consumable beverage product that is:

(a) Not contained in a segregated and locked unit on the retail sales floor; or

(b) Not displayed for sale behind the point-of-sale counter and out of reach of customers within the retail establishment;

(2) Knowingly sell or distribute a hemp-derived consumable beverage product to a person who is under twenty-one years of age;

(3) Knowingly purchase a hemp-derived consumable beverage product on behalf of a person who is under twenty-one years of age;

(4) Knowingly persuade, entice, send, or assist a person who is under twenty-one years of age to purchase,

17 acquire, receive, or attempt to purchase a hemp-derived
18 consumable beverage product;

19 (5) Knowingly distribute free samples of a hemp-
20 derived consumable beverage product in or on a public
21 street, sidewalk, or park; or

22 (6) Knowingly sell or distribute a hemp-derived
23 consumable beverage product without having first obtained
24 proof of age from the prospective purchaser or recipient
25 unless an ordinary person would conclude on the basis of
26 appearance that the prospective purchaser or recipient is
27 not under twenty-one years of age.

28 2. A person under twenty-one years of age shall not
29 knowingly:

30 (1) Purchase, possess, or accept receipt of a hemp-
31 derived consumable beverage product; or

32 (2) Present purported proof of age that is false or
33 fraudulent or that does not actually identify the person for
34 the purpose of purchasing or receiving a hemp-derived
35 consumable beverage product.

36 3. Any hemp-derived consumable beverage product,
37 including those in cases or boxes, offered for retail sale
38 shall be merchandised in such a manner, which may include,
39 but shall not be limited to, signage, shelf-talkers, and
40 stickers on cooler doors, so as to clearly indicate to
41 consumers that the products contain hemp-derived
42 cannabinoids and are for sale only to persons twenty-one
43 years of age or older.

44 4. Any person who violates any provision of this
45 section shall be subject to a fine not to exceed two hundred
46 fifty dollars for a first violation to be paid into the
47 state school moneys fund established under section 166.051,
48 as provided by law for other fines and penalties. The

49 penalty for any second or subsequent violation shall be a
50 class D misdemeanor.

51 5. The division shall enforce sections 195.2540 to
52 195.2630 in a manner that may reasonably be expected to
53 reduce the extent to which hemp-derived consumable beverage
54 products are sold or distributed to persons under twenty-one
55 years of age and shall conduct inspections at locations
56 where such products are sold or distributed to ensure
57 compliance with sections 195.2540 to 195.2630.

58 6. Nothing in this section shall be interpreted to
59 prohibit law enforcement from using the following persons to
60 enforce the provisions of this section:

61 (1) Any minor under eighteen years of age if the
62 minor's parent or legal guardian has consented to the
63 minor's involvement in the enforcement effort; and

64 (2) Any person eighteen years of age or older and
65 under twenty-one years of age if the person has consented to
66 his or her involvement in the enforcement effort.

67 7. Notwithstanding the provisions of this chapter or
68 chapter 579 or any other provision of law to the contrary
69 other than the provisions of subsection 8 of this section,
70 any purchase, possession, consumption, use, manufacture,
71 transportation, or distribution of any hemp-derived
72 consumable beverage product that complies with the
73 provisions of sections 195.2540 to 195.2630 shall be lawful.

74 8. If the sale of hemp-derived consumable beverage
75 products becomes illegal under federal law, the following
76 provisions shall apply:

77 (1) The sale of hemp-derived consumable beverage
78 products in this state shall be prohibited;

79 (2) Any license issued by the division under sections
80 195.2540 to 195.2630 shall be revoked; and

81 (3) The division shall not begin, or shall stop,
82 issuing any licenses under sections 195.2540 to 195.2630.

195.2560. 1. A person or entity that is in the
2 business of hemp-derived consumable beverage products in
3 this state, including any manufacturer, distributor, or
4 retailer, shall obtain a license from the division
5 authorizing the person or entity to engage in that business
6 prior to the commencement of the business or, for a business
7 operating before the effective date of the rules promulgated
8 under sections 195.2540 to 195.2630, within a time period
9 specified by the division by rule.

10 2. Any person or entity engaging in the business of
11 manufacturing or selling hemp-derived consumable beverage
12 products in this state without a valid license required
13 under sections 195.2540 to 195.2630 shall be subject to a
14 fine of five hundred dollars per day until the person or
15 entity ceases the sale of hemp-derived consumable beverage
16 products or obtains a valid license.

17 3. (1) Any license granted to a retailer shall be
18 location-specific. The division shall require a retailer to
19 obtain a separate license for each location at which the
20 retailer sells hemp-derived consumable beverage products for
21 consumption.

22 (2) Any license granted to a manufacturer or
23 distributor shall not be location-specific. The division
24 shall not require a manufacturer or distributor to obtain a
25 separate license for each location at which the manufacturer
26 or distributor operates.

27 4. To obtain and maintain a manufacturer, distributor,
28 or retailer license under this section, a person or entity
29 shall:

30 (1) Obtain and maintain a license under chapter 311
31 respective to type of hemp-derived consumable beverage

product license for which the person or entity is applying
under this subsection;

(2) Submit to the division information the division
prescribes as necessary for the efficient enforcement of
sections 195.2540 to 195.2630;

(3) For initial licensing, pay to the division a fee
of:

(a) For manufacturers, five thousand dollars;

(b) For distributors, two thousand five hundred
dollars; and

(c) For retailers, five hundred dollars per location;
and

(4) Consent to reasonable inspection and sampling by
the division of the person's or entity's inventory of hemp-
derived consumable beverage products.

5. A license issued under this section shall be valid
for a period of one year and may be renewed annually. The
division shall charge an annual renewal fee of:

(1) For manufacturers, five thousand dollars;

(2) For distributors, two thousand five hundred
dollars; and

(3) For retailers, five hundred dollars per location.

6. The division may deny or revoke a license for any
violation of sections 195.2540 to 195.2630 or the rules
promulgated under sections 195.2540 to 195.2630.

7. Notwithstanding any other provision of this section
to the contrary, any applicant that meets the requirements
set forth in sections 195.2540 to 195.2630 shall be issued a
license by the division. A license application shall be
automatically deemed approved, and a license shall be
issued, if the division fails to approve or deny the
application within thirty days of the date of the submission
of the application.

65 8. All fees payable under this section shall be
66 collected by the division and transmitted to the department
67 of revenue for deposit in the state treasury to the credit
68 of the hemp business fund established under section 195.2563.

195.2563. 1. There is hereby created in the state
2 treasury the "Hemp Business Fund". All fees authorized to
3 be charged by the division under section 195.2560 shall be
4 collected by the director of the division and shall be
5 transmitted to the department of revenue for deposit in the
6 state treasury for credit to this fund. The state treasurer
7 shall be custodian of the fund. In accordance with sections
8 30.170 and 30.180, the state treasurer may approve
9 disbursements. The fund shall be a dedicated fund and, upon
10 appropriation, moneys in this fund shall be used solely for
11 the administration of sections 195.2540 to 195.2630.

12 2. Notwithstanding the provisions of section 33.080 to
13 the contrary, any moneys remaining in the fund at the end of
14 the biennium shall not revert to the credit of the general
15 revenue fund.

16 3. The state treasurer shall invest moneys in the fund
17 in the same manner as other funds are invested. Any
18 interest and moneys earned on such investments shall be
19 credited to the fund.

195.2564. Any person who or entity that holds a valid
2 liquor license issued by the division, is otherwise in good
3 standing with the division, and is engaged in the
4 manufacturing, distributing, or retail sale of hemp-derived
5 consumable beverage products on or before August 28, 2025,
6 may submit to the division a notice of intent to apply for a
7 license, at which point the person or entity may continue to
8 manufacture, distribute, or engage in the retail sale of
9 hemp-derived consumable beverage products for a period of
10 forty-five days following the submission of the notice of

11 intent to apply for a license. In the event that the
12 applicant has not obtained a valid license from the division
13 at the expiration of the forty-five-day period, the
14 applicant shall discontinue the manufacture, distribution,
15 or retail sale of hemp-derived consumable beverage products,
16 unless the applicant obtains an extension of time from the
17 division.

195.2565. 1. Before April 1, 2026, the division shall
2 promulgate rules on the licensure of hemp-derived consumable
3 beverage product businesses to implement the provisions of
4 sections 195.2540 to 195.2630 which incorporate and are not
5 less stringent than requirements for licensure and conduct
6 of business under chapter 311 and regulations promulgated by
7 the division thereunder. The rules shall, at a minimum:

8 (1) Set forth application forms and guidelines for
9 obtaining a license as a hemp-derived consumable beverage
10 product business;

11 (2) Specify the date by which hemp-derived consumable
12 beverage product businesses operating before the effective
13 date of the rules promulgated under this section shall
14 obtain a license to continue operating; and

15 (3) Set forth requirements for business operations in
16 accordance with sections 195.2540 to 195.2630.

17 2. Before April 1, 2026, the department shall
18 promulgate rules on the testing of hemp-derived consumable
19 beverage products.

20 3. Any rule or portion of a rule, as that term is
21 defined in section 536.010, that is created under the
22 authority delegated in this section shall become effective
23 only if it complies with and is subject to all of the
24 provisions of chapter 536 and, if applicable, section
25 536.028. This section and chapter 536 are nonseverable and
26 if any of the powers vested with the general assembly

27 pursuant to chapter 536 to review, to delay the effective
28 date, or to disapprove and annul a rule are subsequently
29 held unconstitutional, then the grant of rulemaking
30 authority and any rule proposed or adopted after August 28,
31 2025, shall be invalid and void.

195.2575. 1. The label of a hemp-derived consumable
2 beverage product offered for distribution or sale in this
3 state shall contain the following information in not less
4 than three-point font:

5 (1) Product name or common name on the front of the
6 label;

7 (2) Brand name on the front of the label;

8 (3) Size of the container or net count of individual
9 items on the front of the label;

10 (4) Net weight or volume;

11 (5) Suggested product use, including serving sizes if
12 the product is intended for ingestion;

13 (6) List of ingredients, including:

14 (a) The amount of any advertised cannabinoid in
15 milligrams; and

16 (b) The amount of any primary cannabinoid in
17 milligrams;

18 (7) List of potential allergens;

19 (8) The name and address of the manufacturer or
20 distributor;

21 (9) Batch number;

22 (10) A statement that use while pregnant or breast-
23 feeding may be harmful;

24 (11) A statement that the product contains hemp-
25 derived cannabinoids and that consumption of certain
26 cannabinoids may impair the consumer's ability to drive or
27 operate heavy machinery;

28 (12) A statement to keep out of the reach of children;

29 (13) A statement that the product is only for persons
30 twenty-one years of age or older;

31 (14) A statement to consult a physician before use;

32 (15) A statement that consuming hemp-derived
33 consumable beverage products may result in a failed drug
34 test; and

35 (16) A best-by date in accordance with rules
36 promulgated by the department.

37 2. The label of each hemp-derived consumable beverage
38 product shall include:

39 (1) The following text: "This product has not been
40 evaluated by the Food and Drug Administration. This product
41 is not intended to diagnose, treat, cure, mitigate, or
42 prevent any disease."; and

43 (2) The following text: "Warning - The safety of this
44 product has not been determined.".

45 3. Hemp-derived consumable beverage product labels
46 shall not:

47 (1) Have any likeness or bear any reasonable
48 resemblance to a human, animal, cartoon character, or
49 fictional character;

50 (2) Appear to imitate a food, candy, or other commonly
51 available snack product that is typically marketed toward or
52 appealing to children; or

53 (3) Infringe upon any trademarks protected by the U.S.
54 Patent and Trademark Office or the Missouri office of the
55 secretary of state or dilute or infringe upon the
56 intellectual property rights of another.

195.2580. 1. A hemp-derived consumable beverage
2 product that is sold in this state shall be labeled in
3 accordance with section 195.2575 and include a quick
4 response code that directs consumers to all label

5 information required by section 195.2575 and all information
6 on product testing required by department rules.

7 2. (1) A hemp-derived consumable beverage product
8 that is sold in this state shall be manufactured in the
9 United States under all applicable laws governing the
10 manufacture of hemp-derived products in its jurisdiction of
11 origin including, but not limited to, abiding by Current
12 Good Manufacturing Practices (CGMP) and Generally Recognized
13 as Safe (GRAS) standards, and shall not include any
14 materials, ingredients, or other substances that are sourced
15 from outside of the United States.

16 (2) Notwithstanding the provisions of subdivision (1)
17 of this subsection to the contrary, cannabinoids are allowed
18 in a hemp-derived consumable beverage product despite not
19 having GRAS status. All ingredients other than cannabinoids
20 in the final hemp-derived consumable beverage product shall
21 have GRAS status.

22 3. Any hemp-derived consumable beverage product that
23 is sold in this state shall not be sold without a validly
24 issued certificate of analysis issued by an independent
25 testing laboratory within the previous twenty-four months.

26 4. A hemp-derived consumable beverage product that is
27 sold or offered for sale in violation of sections 195.2540
28 to 195.2630 shall be subject to seizure and forfeiture.

195.2585. 1. A retailer or manufacturer of a hemp-
2 derived consumable beverage product shall not advertise,
3 market, or offer for sale a hemp-derived consumable beverage
4 product by using any trade dress, trademark, branding, or
5 related imagery or scenery that dilutes or infringes upon
6 the intellectual property rights of another or that is
7 prohibited under this section in the labeling or design of
8 the product or product packaging or in advertising or
9 marketing materials for the product.

10 2. Any trade dress, trademark, branding, or related
11 imagery or scenery shall be prohibited under this section if
12 the trade dress, trademark, branding, or related imagery or
13 scenery depicts or signifies characters or symbols known to
14 appeal primarily to persons under twenty-one years of age or
15 mimics commonly available candy or snack products.

16 3. Nothing in this section prohibits the use of
17 drawings, illustrations, or artwork depicting nonmythical
18 creatures, inanimate objects, scenery, humanoid characters,
19 fruit- or flavor-focused images, or any other items not
20 known to appeal primarily to persons under twenty-one years
21 of age.

195.2590. 1. Sections 195.2540 to 195.2630 shall not
2 be construed to permit a person to undertake any task while
3 impaired by the use of a hemp-derived consumable beverage
4 product if doing so would constitute negligence or
5 professional malpractice.

6 2. (1) A person shall not operate, navigate, or be in
7 actual physical control of a motor vehicle, aircraft,
8 motorized watercraft, or any other vehicle while impaired by
9 the use of a hemp-derived consumable beverage product.

10 (2) Conduct while intoxicated from the use of a hemp-
11 derived consumable beverage product shall be subject to the
12 penalties for driving while intoxicated under section
13 577.010 in the same manner that conduct while intoxicated
14 from the use of any other drug is subject to such penalties.

15 3. (1) A person shall not drive a motor vehicle on a
16 public road while consuming a hemp-derived consumable
17 beverage product.

18 (2) A person shall not possess an open container of a
19 hemp-derived consumable beverage product while driving a
20 motor vehicle on a public road.

21 (3) A violation of subdivision (1) or (2) of this
22 subsection is an infraction for which four points shall be
23 assessed to the person's driver's license under section
24 302.302.

25 4. Sections 195.2540 to 195.2630 shall not require an
26 employer to accommodate the use of a hemp-derived consumable
27 beverage product in the workplace or an employee working
28 while impaired by the use of a hemp-derived consumable
29 beverage product.

30 5. Sections 195.2540 to 195.2630 shall not exempt a
31 person from prosecution for a criminal offense related to
32 impairment or intoxication resulting from the use of a hemp-
33 derived consumable beverage product or relieve a person from
34 any requirement under the law to submit to a breath, blood,
35 urine, or other test to detect the presence of a controlled
36 substance.

195.2595. 1. Nothing in sections 195.2540 to 195.2630
2 shall prohibit hemp-derived consumable beverage product
3 manufacturers from assigning exclusive territories for
4 distribution of hemp-derived consumable beverage products.

5 2. (1) Any person, cooperative, or business holding
6 any one of the three types of hemp-derived consumable
7 beverage product licenses who is engaged in the production,
8 manufacturing, distribution, or sale of hemp-derived
9 consumable beverage products shall not hold either of the
10 other two types of hemp-derived consumable beverage product
11 licenses and shall not have a financial interest, either
12 direct or indirect, in a person, cooperative, or business
13 holding any of the other two types of hemp-derived
14 consumable beverage product licenses.

15 (2) A hemp-derived consumable beverage product
16 manufacturer shall not directly solicit, sell, or otherwise
17 convey hemp-derived consumable beverage products to

18 retailers. Hemp-derived consumable beverage product
19 manufacturers are authorized to solicit and sell hemp-
20 derived consumable beverage products to hemp-derived
21 consumable beverage product distributors. Hemp-derived
22 consumable beverage product distributors are authorized to
23 solicit and sell hemp-derived consumable beverage products
24 to hemp-derived consumable beverage product retailers.

25 3. No person or entity shall deliver, ship, or cause
26 to be delivered or shipped any hemp-derived consumable
27 beverage product directly to any resident of this state.

195.2597. 1. The division shall promulgate
2 regulations pertaining to unlawful pricing and
3 discrimination by distributors that are no less stringent
4 than unlawful pricing and discrimination provisions of
5 chapter 311 and regulations promulgated by the division
6 thereunder for the sale of intoxicating liquor and wine
7 containing alcohol in excess of five percent by weight.

8 2. Notwithstanding any provision of law to the
9 contrary, the price to retailers of any product regulated by
10 the division under chapter 311 or under sections 195.2540 to
11 195.2620 shall not include bottling and handling charges,
12 the cost of delivery to the retailer, and any similar
13 ancillary charges to the retailer, which shall be separately
14 stated from the price to the retailer on any invoice for the
15 product.

195.2598. No hemp-derived consumable beverage product
2 manufacturer or distributor shall pay to a hemp-derived
3 consumable beverage product retailer, nor shall any such
4 retailer accept, any payment, credit, or any other
5 consideration to induce the retailer to advertise or display
6 a hemp-derived consumable beverage product in a certain
7 manner on the retailer's licensed premises.

195.2600. 1. Each hemp-derived consumable beverage product distributed or available for distribution in this state shall be officially registered with the division and shall comply with the requirements of this section.

2. Application for registration shall be made to the division on a form provided by the division and shall include the following information:

- (1) The name and address of the applicant;
- (2) The name and address of the person whose name will appear on the label if such person is not the applicant;
- (3) The name of the product;
- (4) The type and use of the product;
- (5) A complete copy of the label as it will appear on the product in a legible format;
- (6) If the product has been assigned a National Drug Code in accordance with 21 CFR 207.33, the National Drug Code number; and
- (7) The applicant's proof of using Current Good Manufacturing Practices (CGMP) and Generally Recognized as Safe (GRAS) standards as required under sections 195.2540 to 195.2630.

3. The application for registration shall include a certificate of analysis for the hemp-derived consumable beverage product that is from an independent testing laboratory and that meets requirements set forth in rules promulgated by the department.

4. The division may deny registration for an incomplete application.

5. A new registration is required for any of the following:

- (1) Any change in a hemp-derived consumable beverage product's ingredients;
- (2) Any change to the directions for use; and

34 (3) Any change of name for the product.

35 6. Any change not described in subsection 5 of this
36 section shall not require a new registration, but the
37 registrant shall submit copies of each label change to the
38 division as soon as the change is effective.

39 7. The registrant is responsible for the accuracy and
40 completeness of the information submitted.

41 8. A hemp-derived consumable beverage product that has
42 been discontinued shall continue to be registered in the
43 state until the product is no longer available for
44 distribution.

195.2605. 1. Testing of any hemp-derived consumable
2 beverage product for purposes of sections 195.2540 to
3 195.2630 shall be conducted on the hemp-derived consumable
4 beverage product in its final form in accordance with the
5 rules promulgated by the department.

6 2. The certificate of analysis for a hemp-derived
7 consumable beverage product shall report the test results
8 required by department rules in specified units of measure
9 and in accordance with the requirements for a hemp-derived
10 consumable beverage product in section 195.2580.

195.2607. 1. The division shall conduct randomized
2 inspections of hemp-derived consumable beverage products
3 distributed or available for distribution in this state for
4 compliance with the requirements of sections 195.2540 to
5 195.2630.

6 2. The division shall periodically sample, analyze,
7 and test hemp-derived consumable beverage products
8 distributed within this state for compliance with
9 registration and labeling requirements and the certificate
10 of analysis.

11 3. The division may conduct inspections of hemp-
12 derived consumable beverage products distributed or

13 available for distribution for any reason the division deems
14 necessary.

2 195.2610. A hemp-derived consumable beverage product
shall not be sold for on-site consumption.

2 195.2615. The division may regulate the advertising
and promotion of hemp-derived consumable beverage product
3 sales. Such advertising regulation shall not be less
4 stringent than state regulations on alcohol sales.

2 195.2617. For all tax years beginning on or after
January 1, 2026, an excise tax is levied and imposed upon
3 the retail sale of hemp-derived consumable beverage products
4 to consumers within this state at the rate and in the manner
5 set forth in section 144.028.

2 195.2620. 1. As used in this section, the following
terms mean:

3 (1) "Good cause":

4 (a) Failure by the hemp-derived consumable beverage
5 product distributor to comply substantially with the
6 provisions of an agreement or understanding with the hemp-
7 derived consumable beverage product manufacturer if the
8 provisions are both essential and reasonable;

9 (b) Use of bad faith or failure to observe reasonable
10 commercial standards of fair dealing in the trade; or

11 (c) Revocation or suspension for more than thirty days
12 of the hemp-derived consumable beverage product
13 distributor's state or local license required for the normal
14 operations of its business;

15 (2) "Good faith", the duty of each party to any
16 franchise and all officers, employees, or agents thereof to
17 act in a fair and equitable manner toward each other.

18 2. If more than one franchise for the same brand or
19 brands of hemp-derived consumable beverage products is
20 granted to different hemp-derived consumable beverage

21 product distributors in this state, it shall be unlawful for
22 any hemp-derived consumable beverage product manufacturer to
23 discriminate between the distributors with respect to any of
24 the terms, provisions, and conditions of these franchises.

25 3. Notwithstanding the terms, provisions, and
26 conditions of any franchise to the contrary, no hemp-derived
27 consumable beverage product manufacturer shall unilaterally
28 terminate or refuse to continue or change substantially the
29 condition of any franchise with the hemp-derived consumable
30 beverage product distributor unless the manufacturer has
31 first established good cause for such termination,
32 noncontinuance, or change.

33 4. Any hemp-derived consumable beverage product
34 distributor may bring an action in a court of competent
35 jurisdiction against a hemp-derived consumable beverage
36 product manufacturer for violation of any of the provisions
37 of this section and may recover damages sustained by such
38 distributor together with the costs of the action and
39 reasonable attorney's fees.

40 5. In any action brought by a hemp-derived consumable
41 beverage product distributor against a hemp-derived
42 consumable beverage product manufacturer for termination,
43 noncontinuance, or substantial change in violation of the
44 provisions of this section, it is a complete defense for the
45 hemp-derived consumable beverage product manufacturer to
46 prove that the termination, noncontinuance, or substantial
47 change was done in good faith and for good cause.

195.2625. 1. Any manufacturer licensed under sections
2 195.2540 to 195.2630, including its affiliates, officers,
3 directors, employees, and agents, shall be indemnified from
4 any and all claims, losses, liabilities, damages, costs, and
5 expenses, including reasonable attorney's fees and
6 litigation costs, arising out of any:

7 (1) Untrue representation, breach of warranty, or
8 nonfulfillment by any retailer or distributor of any
9 obligation under sections 195.2540 to 195.2630;

10 (2) Negligent act or omission, or willful misconduct,
11 of a retailer or distributor licensed under sections
12 195.2540 to 195.2630, including its employees, agents, or
13 representatives, in connection with hemp-derived consumable
14 beverage products; or

15 (3) Bodily injury or property damage to third parties
16 arising from:

17 (a) Any retailer or distributor licensed under
18 sections 195.2540 to 195.2630;

19 (b) Any marketing, distribution, or sale of hemp-
20 derived consumable beverage products under sections 195.2540
21 to 195.2630, including the storage, transportation, and
22 delivery of the products; or

23 (c) Any actual or alleged defect in a hemp-derived
24 consumable beverage product or in the labeling or packaging
25 of the product.

26 2. Any distributor licensed under sections 195.2540 to
27 195.2630, including its affiliates, officers, directors,
28 employees, and agents, shall be indemnified from any and all
29 claims, losses, liabilities, damages, costs, and expenses,
30 including reasonable attorney's fees and litigation costs,
31 arising out of any:

32 (1) Untrue representation, breach of warranty, or
33 nonfulfillment by any manufacturer or retailer of any
34 obligation under sections 195.2540 to 195.2630;

35 (2) Negligent act or omission, or willful misconduct,
36 of a manufacturer or retailer licensed under sections
37 195.2540 to 195.2630, including its employees, agents, or
38 representatives, in connection with hemp-derived consumable
39 beverage products; or

40 (3) Bodily injury or property damage to third parties
41 arising from:

42 (a) Any manufacturer or retailer licensed under
43 sections 195.2540 to 195.2630;

44 (b) Any marketing, distribution, or sale of hemp-
45 derived consumable beverage products under sections 195.2540
46 to 195.2630, including the storage, transportation, and
47 delivery of the products; or

48 (c) Any actual or alleged defect in a hemp-derived
49 consumable beverage product or in the labeling or packaging
50 of the product.

51 3. Any retailer licensed under sections 195.2540 to
52 195.2630, including its affiliates, officers, directors,
53 employees, and agents, shall be indemnified from any and all
54 claims, losses, liabilities, damages, costs, and expenses,
55 including reasonable attorney's fees and litigation costs,
56 arising out of any:

57 (1) Untrue representation, breach of warranty, or
58 nonfulfillment by any manufacturer or distributor of any
59 obligation under sections 195.2540 to 195.2630;

60 (2) Negligent act or omission, or willful misconduct,
61 of a manufacturer or distributor licensed under sections
62 195.2540 to 195.2630, including its employees, agents, or
63 representatives, in connection with hemp-derived consumable
64 beverage products; or

65 (3) Bodily injury or property damage to third parties
66 arising from:

67 (a) Any manufacturer or distributor licensed under
68 sections 195.2540 to 195.2630;

69 (b) Any marketing, distribution, or sale of hemp-
70 derived consumable beverage products under sections 195.2540
71 to 195.2630, including the storage, transportation, and
72 delivery of the products; or

73 (c) Any actual or alleged defect in a hemp-derived
74 consumable beverage product or in the labeling or packaging
75 of the product.

195.2630. 1. As used in this section, the following
2 terms mean:

3 (1) "Safe harbor hemp product", a hemp-derived
4 compound or hemp-derived cannabinoid, whether a finished
5 product or in the process of being produced, that is
6 manufactured for distribution, produced for distribution,
7 packaged for distribution, processed for distribution,
8 prepared for distribution, treated for distribution,
9 transported for distribution, or held for distribution in
10 this state for export from this state but that is not sold
11 or distributed in this state;

12 (2) "Safe harbor manufacturer or storage facility", a
13 facility that manufactures for distribution, produces for
14 distribution, packages for distribution, processes for
15 distribution, prepares for distribution, treats for
16 distribution, transports for distribution, or holds for
17 distribution a safe harbor hemp product.

18 2. The provisions of sections 195.2540 to 195.2630
19 shall not apply to any:

20 (1) Safe harbor hemp product; or

21 (2) Safe harbor manufacturer or storage facility.