

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 54, Pages 2-6, Section 195.900, Line _____,

2 by striking all of said section and inserting in lieu
3 thereof the following:

4 "195.900. 1. As used in this section, the following
5 terms mean:

6 (1) "Cannabinoids", ligands that are either plant-
7 derived, synthetic, or semisynthetic, and have an affinity
8 for and activity at cannabinoid receptors;

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

11 (3) "Intoxicating cannabinoids":

12 (a) Any cannabinoid, however derived or created, that
13 has an intoxicating effect when consumed or otherwise
14 ingested, irrespective of whether the cannabinoid was
15 created or developed through natural means or through
16 chemical conversion, isomerization, synthetic derivation,
17 heat, or any other process by which molecules may be
18 manipulated, including, without limitation, THC-A; and

19 (b) Any cannabinoid, semisynthetic or synthetic
20 cannabinoid, or precursor to an intoxicating cannabinoid
21 that may become intoxicating when heated, decarboxylated, or
22 otherwise manipulated, excluding, without limitation,
23 cannabidiol (CBD).

24 2. Any person or entity selling, or offering for sale,
25 in this state any intoxicating cannabinoid shall not be
26 prohibited from doing so by any law regulating or

27 restricting the sale of any form of *Cannabis sativa* L.;
28 provided, that such products are:

29 (1) Derived from the hemp flower and accompanied by a
30 certificate of authenticity from a U.S. Department of
31 Agriculture-approved hemp testing facility;

32 (2) Kept behind the retail counter prior to sale;

33 (3) Sold only to adults twenty-one years of age or
34 older upon age verification;

35 (4) Sold in a location that has a valid hemp retail
36 business license issued by the department;

37 (5) Compliant with packaging and labeling regulations
38 promulgated by the department in order to protect minors; and

39 (6) Compliant with other regulations promulgated by
40 the department under subsection 5 of this section.

41 3. (1) Any person or entity selling an intoxicating
42 cannabinoid in this state shall be licensed by the
43 department prior to selling such intoxicating cannabinoid.
44 Each location shall have a separate license. Such license
45 shall be renewed annually. The department shall charge each
46 applicant for a retail license a nonrefundable fee of one
47 thousand dollars per license application or renewal. The
48 fee shall be used for purposes of enforcement and
49 administration of the provisions of this section.

50 (2) Any person or entity manufacturing an intoxicating
51 cannabinoid in this state or distributing an intoxicating
52 cannabinoid to retailers in this state shall be licensed by
53 the department prior to manufacturing or distributing such
54 intoxicating cannabinoid. Such license shall be renewed
55 annually. The department shall charge each applicant for a
56 manufacturer or distributor license a nonrefundable fee of
57 one thousand dollars per license application or renewal.
58 The fee shall be used for purposes of enforcement and
59 administration of the provisions of this section.

60 (3) Any person or entity manufacturing, distributing,
61 or selling intoxicating cannabinoids in this state prior to
62 August 28, 2025, shall have forty-five days to become
63 licensed by the department, during which time such person or
64 entity may continue to manufacture, distribute, or sell
65 intoxicating cannabinoids pending licensure. All other
66 persons or entities manufacturing, distributing, or selling
67 intoxicating cannabinoids on or after August 28, 2025, shall
68 be required to become licensed by department prior to
69 engaging in such manufacture, distribution, or sale in this
70 state.

71 4. The department shall have the authority to conduct
72 up to ten inspections per year per licensed location to
73 ensure compliance with the provisions of this section. The
74 cost of such inspections shall be paid by the licensed
75 facility.

76 5. The department shall promulgate all rules and
77 regulations necessary to implement the provisions of this
78 section, including, but not limited to, licensure
79 applications and rules designed to protect public health and
80 safety, establish potency limits and expiration dates for
81 products, implement recall procedures of dangerous products,
82 establish advertising standards, establish testing
83 standards, and create mechanisms for compliance and
84 enforcement. Such labeling, testing, advertising,
85 packaging, and other standards shall be no more stringent
86 than comparable rules for the sale of marijuana products in
87 this state. Any rule or portion of a rule, as that term is
88 defined in section 536.010, that is created under the
89 authority delegated in this section shall become effective
90 only if it complies with and is subject to all of the
91 provisions of chapter 536 and, if applicable, section
92 536.028. This section and chapter 536 are nonseverable and

93 if any of the powers vested with the general assembly
94 pursuant to chapter 536 to review, to delay the effective
95 date, or to disapprove and annul a rule are subsequently
96 held unconstitutional, then the grant of rulemaking
97 authority and any rule proposed or adopted after August 28,
98 2025, shall be invalid and void.

99 6. (1) A tax shall be levied upon the retail sale of
100 intoxicating cannabinoids sold to consumers at facilities
101 licensed pursuant to this section within the state. The tax
102 shall be at a rate of six percent of the retail price. The
103 tax shall be collected by each facility licensed under this
104 section and paid to the department of revenue. After
105 retaining no more than two percent of the total tax
106 collected or its actual collection costs, whichever is less,
107 amounts generated by the retail sales tax levied in this
108 section shall be deposited by the department of revenue into
109 the intoxicating cannabinoid fund created under this
110 subsection. Licensed entities making intoxicating
111 cannabinoid retail sales within the state shall be allowed
112 approved credit for returns provided the tax was paid on the
113 returned item and the purchaser was given the refund or
114 credit.

115 (2) There is hereby created in the state treasury the
116 "Intoxicating Cannabinoid Fund" which shall consist of taxes
117 and fees collected under this section. The state treasurer
118 shall be custodian of the fund, and he or she shall invest
119 monies in the fund in the same manner as other funds are
120 invested. Any interest and moneys earned on such
121 investments shall be credited to the fund. Notwithstanding
122 any other provision of law, any monies remaining in the fund
123 at the end of a biennium shall not revert to the credit of
124 the general revenue fund. The commissioner of
125 administration is authorized to make cash operating

transfers to the fund for purposes of meeting the cash requirements of the department in advance of it receiving application, licensing, and tax revenue, with any such transfers to be repaid as provided by law. The fund shall be a dedicated fund and shall be used for the administration of the provisions of this section.

7. The governing body of any local government is authorized to impose, by ordinance or order, an additional sales tax in an amount not to exceed three percent on all retail sales of intoxicating cannabinoids sold in such political subdivision. The tax authorized by this subsection shall be in addition to any and all other tangible personal property retail sales taxes allowed by law, except that no ordinance or order imposing a tangible personal property retail sales tax under the provisions of this subsection shall be effective unless the governing body of the political subdivision submits to the voters of the political subdivision, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the political subdivision to impose a tax. Any additional local retail sales tax shall be collected pursuant to general laws for the collection of local sales taxes."