

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 manufacturing, distributing,
25 selling, or offering for sale, in this state any
26 intoxicating cannabinoid shall not be prohibited from doing

so by any law regulating or restricting the manufacture,
distribution, or sale of any form of *Cannabis sativa L.*;
provided, that such products are:

(1) Derived from the hemp flower and accompanied by a
certificate of authenticity from a IOS/IEC 17025 testing
laboratory;

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

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

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

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

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

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

(2) Any person or entity manufacturing an intoxicating
cannabinoid in this state or distributing an intoxicating
cannabinoid to retailers in this state shall be licensed by
the department prior to manufacturing or distributing such
intoxicating cannabinoid. Such license shall be renewed
annually. The department shall charge each applicant for a
manufacturer or distributor license a nonrefundable fee of
one thousand dollars per license application or renewal.

59 The fee shall be used for purposes of enforcement and
60 administration of the provisions of this section.

61 (3) Only persons or entities manufacturing,
62 distributing, or selling intoxicating cannabinoids in this
63 state prior to August 28, 2025, shall be eligible for a
64 license under this section. Such persons or entities shall
65 have forty-five days to become licensed by the department,
66 during which time such person or entity may continue to
67 manufacture, distribute, or sell intoxicating cannabinoids
68 pending licensure.

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

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

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

97 6. (1) A tax shall be levied upon the retail sale of
98 intoxicating cannabinoids sold to consumers at facilities
99 licensed pursuant to this section within the state. The tax
100 shall be at a rate of six percent of the retail price. The
101 tax shall be collected by each facility licensed under this
102 section and paid to the department of revenue. After
103 retaining no more than two percent of the total tax
104 collected or its actual collection costs, whichever is less,
105 amounts generated by the retail sales tax levied in this
106 section shall be deposited by the department of revenue into
107 the intoxicating cannabinoid fund created under this
108 subsection. Licensed entities making intoxicating
109 cannabinoid retail sales within the state shall be allowed
110 approved credit for returns provided the tax was paid on the
111 returned item and the purchaser was given the refund or
112 credit.

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