

ASSEMBLY, No. 5178

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED FEBRUARY 13, 2023

Sponsored by:
Assemblyman ANTHONY S. VERRELLI
District 15 (Hunterdon and Mercer)

SYNOPSIS

Establishes THC potency limit for cannabis products.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning potency of cannabis and amending P.L.2021,
2 c.16.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 18 of P.L.2021, c.16 (C.24:6I-35) is amended to read
8 as follows:

9 18. Regulation of Cannabis.

10 a. The commission shall adopt rules and regulations, pursuant
11 to subsection d. of section 6 of P.L.2021, c.16 (C.24:6I-34), which
12 shall be consistent with the intent of P.L.2021, c.16 (C.24:6I-31 et
13 al.). The commission may create an expert task force to make
14 recommendations to the commission about the content of such
15 regulations. Such regulations shall include:

16 (1) Procedures for the application, issuance, denial, renewal,
17 suspension, and revocation of a license or conditional license to
18 operate as a cannabis establishment, distributor, or delivery service.
19 Such procedures shall include a periodic evaluation of whether the
20 number of each class of cannabis establishment, or cannabis
21 distributors or cannabis delivery services, is sufficient to meet the
22 market demands of the State, a result of which is the commission's
23 authority to accept new applications and issue additional licenses as
24 it deems necessary to meet those demands, except as otherwise
25 provided in section 33 of P.L.2021, c.16 (C.24:6I-46) regarding an
26 initial period during which the number of Class 1 Cannabis
27 Cultivator licenses is capped, which limit shall not apply to
28 cannabis cultivator licenses issued to microbusinesses as set forth in
29 that section;

30 (2) Application, licensure, and renewal of licensure fees;

31 (3) Incorporation of the licensing goals for applicants for
32 licensure who are New Jersey residents established in P.L.2021,
33 c.16 (C.24:6I-31 et al.). The commission shall make good faith
34 efforts to meet these goals. Qualifications for licensure shall be
35 directly and demonstrably related to the operation of a cannabis
36 establishment, distributor, or delivery service, provided that the
37 commission shall make licenses available to as diverse a group as
38 reasonably practicable, however no license of any kind shall be
39 issued to a person under the legal age to purchase cannabis items;

40 (4) (a) Incorporation of the licensing measures established by the
41 Office of Minority, Disabled Veterans, and Women Cannabis
42 Business Development pursuant to subparagraph (b) of paragraph
43 (1) of subsection c. of section 32 of P.L.2019, c.153 (C.24:6I-25) to
44 promote the licensing of persons from socially and economically
45 disadvantaged communities, and minority businesses and women's

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 businesses, as these terms are defined in section 2 of P.L.1986,
2 c.195 (C.52:27H-21.18), and disabled veterans' businesses as
3 defined in section 2 of P.L.2015, c.116 (C.52:32-31.2). The
4 commission shall coordinate with the office with respect to the
5 incorporation of these licensing measures;

6 (b) Procedures, to monitor the incorporated licensing measures
7 established by the Office of Minority, Disabled Veterans, and
8 Women Cannabis Business Development, which shall include a
9 verification, as part of the application process for licensure or
10 license renewal, of a minority, women's, or disabled veterans'
11 business certification provided to that business by the office
12 pursuant to paragraph (1) of subsection b. of section 32 of
13 P.L.2019, c.153 (C.24:6I-25), or verification of an application for
14 certification under review by the office pursuant to that paragraph,
15 which review is occurring simultaneous to the application for
16 licensure or license renewal;

17 (5) Security requirements for cannabis establishments and
18 transportation of cannabis and cannabis items;

19 (6) Requirements to prevent the sale or diversion of cannabis
20 items to persons under the legal age to purchase cannabis items,
21 including, but not limited to, requirements that:

22 (a) All licensees and licensee representatives, before permitting
23 entrance to a cannabis establishment and selling or serving cannabis
24 items to any person, shall require such person to produce one of the
25 following pieces of identification:

26 (i) The person's United States passport, or other country's
27 passport or proper government-issued documentation for
28 international travel if a citizen or other lawfully recognized resident
29 of that country, who is lawfully permitted to possess and use that
30 country's passport or government-issued documentation for
31 purposes of identification in the United States;

32 (ii) The person's motor vehicle driver's license, whether issued
33 by New Jersey or by any other state, territory, or possession of the
34 United States, or the District of Columbia, provided the license
35 displays a picture of the person;

36 (iii) A New Jersey identification card issued by the New Jersey
37 Motor Vehicle Commission; or

38 (iv) Any other identification card issued by a state, territory, or
39 possession of the United States, the District of Columbia, or the
40 United States that bears a picture of the person, the name of the
41 person, the person's date of birth, and a physical description of the
42 person;

43 (b) No cannabis establishment, distributor, or delivery service
44 shall employ persons under 18 years of age nor shall any cannabis
45 retailer allow persons under the legal age to purchase cannabis
46 items, other than a person employed by the retailer, to enter or
47 remain on the premises of a cannabis retailer unless accompanied
48 by a parent or legal guardian;

- 1 (c) Packaging and branding regulations to prevent the marketing
2 of cannabis items and cannabis paraphernalia to people under the
3 legal age to purchase cannabis items;
- 4 (d) No edible cannabis products shall be manufactured,
5 marketed, or sold that are in the shape of, or a shape bearing the
6 likeness or containing characteristics of, a realistic or fictional
7 human, animal, or fruit, or part thereof, including artistic,
8 caricature, or cartoon renderings;
- 9 (7) Labeling and packaging requirements for cannabis items
10 sold or distributed by a cannabis establishment, including, but not
11 limited to, the affixing of a tracking stamp to containers or
12 packaging as set forth in section 29 of P.L.2019, c.153 (C.24:6I-22)
13 and requirements that:
- 14 (a) Cannabis items and cannabis paraphernalia are not
15 packaged, branded, or marketed using any statement, illustration, or
16 image that:
- 17 (i) Includes false, deceptive, or misleading statements;
- 18 (ii) Promotes over-consumption;
- 19 (iii) Depicts a child or other person under legal age consuming
20 cannabis items; or
- 21 (iv) Includes objects, such as toys, characters, or cartoon
22 characters suggesting the presence of a person under the legal age to
23 purchase cannabis items, or any other depiction designed in any
24 manner to be especially appealing to persons under the legal age to
25 purchase cannabis items;
- 26 (b) Ensure cannabis items are packaged in opaque, child-
27 resistant special packaging, or if applicable to a particular cannabis
28 item, child resistant special packaging for liquid nicotine
29 containers, in accordance with the "Poison Prevention Packaging
30 Act of 1970," 15 U.S.C. s.1471 et seq., and the associated
31 regulations promulgated thereunder, except that these child-
32 resistant packaging requirements shall not apply to any cannabis
33 item obtained from a cannabis retailer or alternative treatment
34 center for immediate, on-premises consumption at that retailer's or
35 center's cannabis consumption area as permitted pursuant to section
36 28 of P.L.2019, c.153 (C.24:6I-21);
- 37 (c) Cannabis items warning labels adequately inform consumers
38 about safe cannabis use and warn of the consequences of misuse or
39 overuse;
- 40 (d) Labeling rules that mandate clear identification of health and
41 safety information, including, but not limited to:
- 42 (i) Net weight;
- 43 (ii) Production date and expiration date;
- 44 (iii) For a cannabis product, cannabis extract, or other cannabis
45 resin, an ingredient list that includes, but is not limited to, all
46 ingredients used to manufacture the cannabis product, any other
47 inactive or excipient ingredients besides cannabis, and a list of all
48 potential allergens contained within the product;

- 1 (iv) Strain or type of cannabis, listed by scientific terms, if
2 available, and generic or "slang" names;
- 3 (v) Whether the product requires refrigeration;
- 4 (vi) Growth method, whether dirt grown, hydroponic, or
5 otherwise, and an indication whether the cannabis was grown using
6 all-organic materials, and a complete list of any nonorganic
7 pesticides, fungicides and herbicides used during the cultivation of
8 the cannabis;
- 9 (vii) For a cannabis product, serving size, the total number of
10 servings, and a statement regarding the percentage of THC
11 contained in the cannabis product and in each serving. For example:
12 "The serving size of active THC in this product is X mg. This
13 product contains X servings of cannabis, and the total amount of
14 active THC in this product is X mg.";
- 15 (viii) Warning labels that include the nationwide toll-free
16 telephone number used to access poison control centers that is
17 maintained in accordance with 42 U.S.C. s.300d-71, as well as
18 include, but are not limited to, one or more of the following
19 statements, if applicable to a particular cannabis item:
- 20 -- "This product contains cannabis";
- 21 -- "This product is infused with cannabis";
- 22 -- "This product is intended for use by adults 21 years of age or
23 older. Keep out of the reach of children";
- 24 -- "The intoxicating effects of this product may be delayed by
25 two or more hours";
- 26 -- "There may be health risks associated with the consumption of
27 this product, including for women who are pregnant, breastfeeding,
28 or planning on becoming pregnant";
- 29 -- "Do not drive a motor vehicle or operate heavy machinery
30 while using this product ";
- 31 (e) Labeling rules that mandate the source of a cannabis item,
32 including, but not limited to, the license number of the cannabis
33 cultivator where the usable cannabis used for the cannabis item was
34 grown, the license number of the cannabis manufacturer that
35 manufactured the cannabis item, and the license number of the
36 cannabis retailer that sold the cannabis item and the production
37 batch and lot number of the cannabis item;
- 38 (8) Health and safety regulations and standards for the
39 cultivation of cannabis, and the manufacture and sale of cannabis
40 items, including, but not limited to, requirements that:
- 41 (a) Establish accreditation and licensure criteria for cannabis
42 testing facilities, which shall include, as a condition for licensure,
43 the maintenance of a labor peace agreement and entrance into, or
44 good faith effort to enter into, a collective bargaining agreement in
45 accordance with subsection c. of section 19 of P.L.2021, c.16
46 (C.24:6I-36). The commission shall also incorporate the licensing
47 measures established by the Office of Minority, Disabled Veterans,
48 and Women Cannabis Business Development, and the assessment of

1 their effectiveness, pursuant to subparagraph (b) of paragraph (1) of
2 subsection c. of section 32 of P.L.2019, c.153 (C.24:6I-25), and
3 apply them to the licensing of cannabis testing facilities in order to
4 promote the licensing of persons from socially and economically
5 disadvantaged communities, and minority businesses and women's
6 businesses, as these terms are defined in section 2 of P.L.1986,
7 c.195 (C.52:27H-21.18), and disabled veterans' businesses as
8 defined in section 2 of P.L.2015, c.116 (C.52:32-31.2). The license
9 shall permit a cannabis testing facility to test cannabis items in
10 accordance with the provisions set forth in P.L.2021, c.16 (C.24:6I-
11 31 et al.), as well as test medical cannabis and medical cannabis
12 products in accordance with the provisions of the "Jake Honig
13 Compassionate Use Medical Cannabis Act," P.L.2009, c.307
14 (C.24:6I-1 et al.);

15 (b) The commission issue licenses for a sufficient number of
16 cannabis testing facilities, if those facilities:

17 (i) Meet the requirements for licensure, in order to ensure that
18 the testing of representative samples of cannabis items in
19 accordance with the procedures set forth in paragraph (13) of this
20 subsection can be completed in not more than 14 days following
21 their submission to any facility. Other factors that may be
22 considered by the commission in determining whether a sufficient
23 number of cannabis testing facilities are currently licensed include
24 the current licensees' experience or expertise in testing highly
25 regulated products, demonstrated testing efficiency and
26 effectiveness, existing research partnerships or capability to form
27 and maintain research partnerships focusing on cannabis or
28 cannabis items, and any other factors established in regulation by
29 the commission; and

30 (ii) Permit the commission to inspect any licensed cannabis
31 testing facility to determine the condition and calibration of any
32 equipment used for testing, and to ensure that a facility's testing
33 procedures are performed in accordance with the commission's
34 accreditation requirements for licensure;

35 (c) Every licensed cannabis cultivator and cannabis
36 manufacturer shall permit representatives of cannabis testing
37 facilities to make scheduled and unscheduled visits to their
38 premises in order to obtain random samples of cannabis items, in a
39 quantity established by the commission, to be transported to
40 cannabis testing facilities for inspection and testing to certify
41 compliance with health, safety, and potency standards adopted by
42 the commission;

43 (d) Prescribe methods of producing cannabis, and manufacturing
44 and packaging cannabis items; conditions of sanitation; safe
45 handling requirements; approved pesticides and pesticide testing
46 requirements, to the extent not inconsistent with approved
47 pesticides and requirements otherwise established under federal and
48 State law; and standards of ingredients, quality, and identity of

1 cannabis items manufactured, packaged, or sold by cannabis
2 establishments;

3 (e) Establish accreditation criteria for responsible cannabis
4 server and seller training and certification programs for cannabis
5 retailer employees;

6 (f) Provide that no licensed cannabis establishment, distributor,
7 or delivery service, or employee of a cannabis establishment,
8 distributor, or delivery service, shall consume, or allow to be
9 consumed, any cannabis items on the establishment's, distributor's,
10 or delivery service's premises, except as permitted in a cannabis
11 consumption area or premises' private area for employees as set
12 forth in section 28 of P.L.2019, c.153 (C.24:6I-21);

13 (g) (i) Set appropriate dosage, potency, and serving size limits
14 for cannabis items, provided that a standardized serving of a
15 cannabis product shall be no more than 10 milligrams of active
16 THC and no individual edible cannabis product for sale shall
17 contain more than 100 milligrams of active THC;

18 (ii) Require that each single standardized serving of a cannabis
19 product in a multiple-serving edible product is physically demarked
20 in a way that enables a reasonable person to determine how much of
21 the product constitutes a single serving of active THC, and that each
22 standardized serving of the cannabis product shall be easily
23 separable to allow an average person 21 years of age or older to
24 physically separate, with minimal effort, individual servings of the
25 product;

26 (iii) Require that, if it is impracticable to clearly demark every
27 standardized serving of cannabis product or to make each
28 standardized serving easily separable in an edible cannabis product,
29 the product shall contain no more than 10 milligrams of active THC
30 per unit of sale;

31 (h) Establish a universal symbol to indicate that a cannabis item
32 contains cannabis, which shall be marked, stamped, or imprinted
33 directly on an edible retail cannabis product, or on each single
34 standardized serving in a multiple-serving edible cannabis product,
35 unless the item is a loose bulk good such as granola or cereal, a
36 powder, a liquid-infused item, or another form too impractical to be
37 marked, stamped, or imprinted;

38 (i) Prohibit the use of a commercially manufactured or
39 trademarked food product as an edible retail cannabis product,
40 provided that a commercially manufactured or trademarked food
41 product may be used as a component of an edible retail cannabis
42 product or part of a product's recipe so long as the commercially
43 manufactured or trademarked food product is used in a way that
44 renders it unrecognizable in the final edible cannabis product and
45 the product is not advertised as containing the commercially
46 manufactured or trademarked food product;

1 (j) Establish screening, hiring, training, and supervising
2 requirements for cannabis retailer employees and others who
3 manufacture or handle cannabis items;

4 (k) Promote general sanitary requirements for the handling,
5 storage, and disposal of cannabis items, and the maintenance of
6 cannabis establishments, and cannabis distribution and cannabis
7 delivery service premises;

8 (l) Provide for rigorous auditing, inspection, and monitoring of
9 cannabis establishments, distributors, and delivery services for
10 compliance with health and safety rules and regulations;

11 (m) Require the implementation of security requirements for
12 cannabis retailers and premises where cannabis items are
13 manufactured, and safety protocols for cannabis establishments,
14 distributors, and delivery services, and their employees;

15 (n) Prescribe reasonable restrictions on the manner, methods,
16 and means by which cannabis cultivators and cannabis distributors
17 shall transport cannabis within the State, and all licensees shall
18 transport cannabis items within the State; **[and]**

19 (o) Establish procedures for identification, seizure, confiscation,
20 destruction, or donation to law enforcement for training purposes of
21 cannabis or cannabis items produced, manufactured, sold, or offered
22 for sale within this State which do not conform in all respects to the
23 standards prescribed by P.L.2021, c.16 (C.24:6I-31 et al.); and

24 (p) Prohibit a cannabis establishment from selling:

25 (i) cannabis flower with a total THC concentration greater than
26 30 percent; or

27 (ii) a solid and liquid cannabis concentrate product with a total
28 THC concentration greater than 60 percent;

29 (9) Restrictions on the advertising and display of cannabis items
30 and cannabis paraphernalia, including, but not limited to,
31 requirements that:

32 (a) Restrict advertising of cannabis items and cannabis
33 paraphernalia in ways that target or are designed to appeal to
34 individuals under the legal age to purchase cannabis items,
35 including, but not limited to depictions of a person under 21 years
36 of age consuming cannabis items, or, includes objects, such as toys,
37 characters, or cartoon characters suggesting the presence of a
38 person under 21 years of age, or any other depiction designed in any
39 manner to be especially appealing to a person under 21 years of
40 age;

41 (b) Prohibit advertising of any cannabis items or cannabis
42 paraphernalia on television, or on radio between the hours of 6:00
43 a.m. and 10:00 p.m.;

44 (c) Prohibit engaging in advertising unless the advertiser has
45 reliable evidence that at least 71.6 percent of the audience for the
46 advertisement is reasonably expected to be 21 years of age or older;

47 (d) Prohibit engaging in advertising or marketing directed
48 towards location-based devices, including but not limited to cellular

1 phones, unless the marketing is a mobile device application
2 installed on the device by the owner of the device who is 21 years
3 of age or older and includes a permanent and easy opt-out feature
4 and warnings that the use of cannabis items is restricted to persons
5 21 years of age or older;

6 (e) Prohibit the sponsoring of a charitable, sports, musical,
7 artistic, cultural, social, or other similar event or advertising at or in
8 connection with such an event unless the sponsor or advertiser has
9 reliable evidence that no more than 20 percent of the audience at the
10 event is reasonably expected to be under the legal age to purchase
11 cannabis items;

12 (f) Require all advertisements to contain the following warning:
13 "This product contains cannabis. For use only by adults 21 years of
14 age or older. Keep out of the reach of children.";

15 (g) Prohibit the advertising of cannabis items or cannabis
16 paraphernalia in any form or through any medium whatsoever
17 within 200 feet of any elementary or secondary school grounds.
18 This subparagraph shall not apply to advertisements within the
19 premises of a cannabis retailer.

20 For the purposes of this section, a noncommercial message shall
21 not be considered an advertisement.

22 (10)A requirement that only cannabis items and cannabis
23 paraphernalia are available for sale at a cannabis establishment;

24 (11)Procedures for the commission to conduct announced and
25 unannounced visits to cannabis establishments, distributors, and
26 delivery services, to make, or cause to be made, such investigations
27 as it shall deem proper in the administration of P.L.2021, c.16
28 (C.24:6I-31 et al.) and any other laws which may hereafter be
29 enacted concerning cannabis, or the production, manufacture,
30 distribution, sale, or delivery thereof, including the inspection and
31 search of any premises for which the license is sought or has been
32 issued, of any building containing the same, of licensed buildings,
33 examination of the books, records, accounts, documents and papers
34 of the licensees or on the licensed premises;

35 (a) The commission shall be authorized and may at any time
36 make an examination of the premises of any person or entity
37 licensed under P.L.2021, c.16 (C.24:6I-31 et al.) for the purpose of
38 determining compliance with P.L.2021, c.16 (C.24:6I-31 et al.) and
39 the rules of the commission;

40 (b) The commission may require licensee compliance with
41 P.L.2021, c.16 (C.24:6I-31 et al.), and may appoint auditors,
42 investigators and other employees that the commission considers
43 necessary to enforce its powers and perform its duties;

44 (c) During any inspection of a licensed premises, the
45 commission may require proof that a person performing work at the
46 premises is 18 years of age or older. If the person does not provide
47 the commission with acceptable proof of age upon request, the
48 commission may require the person to immediately cease any

1 activity and leave the premises until the commission receives
2 acceptable proof of age; and

3 (d) The commission shall not be required to obtain a search
4 warrant to conduct an investigation or search of licensed premises;

5 (12) Record keeping requirements, including, but not limited to,
6 the following:

7 (a) The obligation of every cannabis cultivator to keep a
8 complete and accurate record of all sales of cannabis flowers,
9 cannabis leaves, and immature cannabis plants, and a complete and
10 accurate record of the number of cannabis flowers produced, the
11 number of ounces of cannabis leaves produced, the number of
12 immature cannabis plants produced, and the dates of production; the
13 obligation of every cannabis establishment to keep a complete and
14 accurate record of all sales of cannabis items, and a complete and
15 accurate record of the number of ounces of usable cannabis sold;
16 the obligation of every cannabis distributor to keep a complete and
17 accurate record of all cannabis and cannabis items transported in
18 bulk, and the sending and receiving cannabis establishments
19 involved in each transportation of the cannabis or cannabis items;
20 and the obligation of every cannabis delivery service to keep a
21 complete and accurate record of all cannabis item deliveries made
22 to consumers based on orders fulfilled by of cannabis retailers;

23 (b) Such records shall be kept and maintained for four years,
24 however there shall not be a requirement that the records be
25 maintained on the premises of a licensee, and the records shall be in
26 such form and contain such other information as the commission
27 may require; and

28 (c) The commission may, at any time, with adequate notice,
29 examine the books and records of any cannabis establishment,
30 distributor, or delivery service, and may appoint auditors,
31 investigators, and other employees that the commission considers
32 necessary to enforce its powers and its duties;

33 (13) Procedures for inspecting samples of cannabis items,
34 including:

35 (a) On a schedule determined by the commission, every licensed
36 cannabis cultivator and manufacturer shall submit representative
37 samples of cannabis items produced or manufactured by the
38 licensee to an independent, third-party licensed testing facility
39 meeting the accreditation requirements established by the
40 commission, or random samples may be obtained by representatives
41 of the facility making a scheduled or unscheduled visit to the
42 licensee's premises, for inspection and testing to certify compliance
43 with standards adopted by the commission. Any sample remaining
44 after testing shall be destroyed by the facility or returned to the
45 licensee, unless that sample does not meet the applicable standards
46 adopted by the commission, in which case it may be retained for
47 purposes of retesting upon request of a licensee in accordance with
48 subparagraph (c) of this paragraph;

1 (b) Licensees shall submit the results of this cannabis item
2 inspection and testing to the commission on a form developed by
3 the commission; and

4 (c) If a sample inspected and tested under this section does not
5 meet the applicable standards adopted by the commission, the
6 sample may, upon notice to the commission, be retested at the
7 request of a licensee in a manner prescribed by the commission, and
8 in addition to a retest, or as an alternative thereto, the licensee may
9 also be permitted an opportunity to remediate, upon notice to the
10 commission, the batch or lot from which the failed sample was
11 taken, which batch or lot shall be subject to a subsequent test of a
12 new representative sample in a manner prescribed by the
13 commission. Any request for a retest of a sample, and any retest
14 and reporting of results, as well as any batch or lot remediation
15 process undertaken and subsequent testing of that batch or lot, shall
16 be completed within a time period established by the commission.
17 The commission shall also provide a process by which samples,
18 batches, and lots that failed retesting or remediation, as applicable,
19 shall be destroyed;

20 (14) Establishing the number of cannabis retailers, and
21 permissible business arrangements with respect to other types of
22 retailing businesses:

23 (a) (i) Assuming there are sufficient qualified applicants for
24 licensure, the commission shall, subject to periodic evaluation as
25 described in paragraph (1) of this subsection, issue a sufficient
26 number of Class 5 Retailer licenses to meet the market demands of
27 the State, giving regard to geographical and population distribution
28 throughout the State; and

29 (ii) the provision of adequate access to licensed sources of
30 cannabis items to discourage purchases from the illegal market; and

31 (b) A cannabis retailer's premises shall not be located in or upon
32 any premises in which operates a grocery store, delicatessen, indoor
33 food market, or other store engaging in retail sales of food, or in or
34 upon any premises in which operates a store that engages in
35 licensed retail sales of alcoholic beverages, as defined by subsection
36 b. of R.S.33:1-1; and

37 (15) Civil penalties for the failure to comply with regulations
38 adopted pursuant to this section.

39 b. In order to ensure that individual privacy is protected, the
40 commission shall not require a consumer to provide a cannabis
41 retailer with personal information other than government-issued
42 identification as set forth in subparagraph (a) of paragraph (6) of
43 subsection a. of this section in order to determine the consumer's
44 identity and age, and a cannabis retailer shall not collect and retain
45 any personal information about consumers other than information
46 typically acquired in a financial transaction conducted by the holder
47 of a Class C retail license concerning alcoholic beverages as set
48 forth in R.S.33:1-12.

1 c. Once regulations are adopted by the commission pursuant to
2 subsection a. of this section, but prior to the commencement of the
3 application process, the commission shall conduct a series of
4 information sessions in every county in New Jersey to educate
5 residents of New Jersey about the responsibilities, opportunities,
6 requirements, obligations, and processes for application for a
7 license to operate a cannabis establishment, distributor, or delivery
8 service. The commission shall conduct an appropriate number of
9 information sessions in each county considering the population of
10 each county, but no fewer than one information session in each
11 county. The commission shall publicize the day, time, location, and
12 agenda of each information session broadly through television,
13 radio, Internet, print, and local agencies.

14 d. The commission shall:

15 (1) Examine available research, and may conduct or commission
16 new research or convene an expert task force, to investigate the
17 influence of cannabis and marijuana on the ability of a person to
18 drive a vehicle, on methods for determining whether a person is
19 under the influence of cannabis or marijuana, and on the
20 concentration of active THC, as defined in section 3 of P.L.2021,
21 c.16 (C.24:6I-33), in a person's blood, in each case taking into
22 account all relevant factors; and

23 (2) Report the results of the research to the Governor and,
24 pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), the
25 Legislature and make recommendations regarding both
26 administrative and legislative action as the commission deems
27 necessary.

28 (cf: P.L.2021, c.16, s.18)

29
30 2. This act shall take effect immediately.

31 32 33 STATEMENT

34
35 This bill sets THC potency limits for cannabis flower and solid
36 or liquid cannabis concentrates.

37 Under the bill, the Cannabis Regulatory Commission
38 ("commission") is required to adopt rules and regulations
39 prohibiting a cannabis establishment from selling cannabis flower
40 with a total THC concentration greater than 30 percent or a solid
41 and liquid cannabis concentrate product with a total THC
42 concentration greater than 60 percent.

43 N.J.S.A.24:6I-33 defines "Cannabis flower" as the flower of the
44 plant *Cannabis sativa* L. within the plant family Cannabaceae.

45 N.J.A.C.17:30-1.2 defines "Cannabis concentrate" as a product
46 manufactured by a cannabis manufacture, in either solid form or
47 liquid form as oil, including extracts and resin extracted using non

- 1 -chemical processes, that contains only the resin, cannabinoids,
- 2 terpenes, and other substances extracted from any part of the
- 3 cannabis plant.