2025 -- H 6270

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N   A C T

RELATING TO FOOD AND DRUGS -- THE RHODE ISLAND CANNABIS ACT

It is enacted by the General Assembly as follows:

1   SECTION 1. Legislative findings.

2   The general assembly hereby finds and declares that:

3   1. The unregulated sale of hemp-derived cannabinoids, including delta-9

4 tetrahydrocannabinol (THC), presents risks to public health and safety, particularly when infused

5 in consumable beverage products.

6   2. The proliferation of such beverages has created a gray area in the regulation of controlled

7 substances, potentially undermining Rhode Island's licensed adult-use and medical cannabis

8 framework.

9   3. It is in the interest of public safety and regulatory consistency to prohibit the sale of

10 beverages containing hemp-derived delta-9 THC unless approved under the state's existing

11 cannabis regulatory framework.

12   SECTION 2. Chapter 21-28.11 of the General Laws entitled "The Rhode Island Cannabis

13 Act" is hereby amended by adding thereto the following section:

14   **21-28.11-10.5. Hemp derived Delta-9 THC beverage regulations.**

15   (a) Definitions. As used in this section:

16   (1) "Beverage" means any liquid intended for human consumption including, but not

17 limited to, water, soda, juice, energy drinks, and ready-to-drink teas or coffees, including delta-9

18 THC drink mix powders which are mixed into beverages.

19   (2) "Delta-9 THC" means delta-9 tetrahydrocannabinol, the principal psychoactive

1 constituent of cannabis.

2 (3) "Hemp-derived" means any extract, cannabinoid, isomer, acid, salt, or derivative

3 sourced from the plant Cannabis sativa L. with a delta-9 THC concentration of not more than three-

4 tenths percent (0.3%) on a dry weight basis, as defined under 7 U.S.C. § 1639o.

5 (b) Prohibited acts.

6 (1) Except as permitted pursuant to subsection (b)(3) of this section and chapters 28.6 and

7 28.11 of title 21, no person or business shall sell, offer for sale, or distribute any beverage that

8 contains hemp-derived delta-9 THC within the State of Rhode Island. This prohibition applies

9 regardless of the concentration of delta-9 THC or the method of infusion.

10 (2) No person shall possess, consume, or distribute any beverage containing hemp-derived

11 delta-9 THC unless such product is approved and dispensed in accordance with the provisions of

12 chapters 28.6 and 28.11 of title 21.

13 (3) Nothing in this section shall prohibit the sale of cannabis-infused beverages authorized

14 under chapters 28.6 or 28.11 of title 21 dispensed through licensed cannabis establishments

15 regulated by the cannabis control commission.

16 (c) Enforcement and penalties. Any person or business who violates the provisions of this

17 section shall be subject to:

18 (1) A civil penalty of not more than five hundred dollars ($500) per violation;

19 (2) Seizure and destruction of noncompliant products by the cannabis control commission,

20 or at the direction of the cannabis control commission; and

21 (3) For repeated violations, suspension or revocation of retail licenses.

22 (d) Rules and regulations. The cannabis control commission, in consultation with the

23 department of health, shall promulgate rules and regulations necessary to implement and enforce

24 the provisions of this section.

25 SECTION 3. This act shall take effect upon passage.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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RELATING TO FOOD AND DRUGS -- THE RHODE ISLAND CANNABIS ACT

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1   This act would prohibit the sale of beverages and drink mix powders containing hemp-

2   derived delta-9 THC in Rhode Island, unless such products are authorized and regulated under the

3   state's cannabis laws, and would maintain regulatory consistency within the state's cannabis

4   framework.

5   This act would take effect upon passage.

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