

# The Connecticut General Assembly

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## Memorandum

**To:** Legislative Regulation Review Committee  
**From:** Legislative Commissioners' Office  
**Committee Meeting Date:** May 27, 2025

<b>Regulation No:</b>	2025-20A
<b>Agency:</b>	Department of Consumer Protection
<b>Subject Matter:</b>	Regulation of Adult Use Cannabis
<b>Statutory Authority:</b> (copy attached)	21a-420q, 21a-420z, 21a-421a, 21a-421j, 21a-421k & 21a-421q

	Yes or No
<b>Mandatory</b>	Y
<b>Federal Requirement</b>	N
<b>Permissive</b>	Y

### For the Committee's Information:

1. This is a resubmittal of regulations that were rejected without prejudice at the committee's meeting on April 22, 2025. On May 20, 2025, the Department of Consumer Protection submitted substitute pages 1 to 55, inclusive. This report is based entirely on the substitute pages. The resubmittal and substitute pages addressed the substantive concerns noted in the April 22, 2025 report, but additional substantive concerns are noted below. The agency failed to address the majority of technical corrections delineated in the April 22nd report in the original resubmittal and again in the substitute pages, although a small portion were made within the substitute pages. Therefore, many technical corrections have been repeated in this report. Additional technical corrections are also noted below.

2. Proposed regulation 2025-19A, which is also before the committee and concerns the palliative use of marijuana, repeals various provisions of the Regulations of Connecticut State Agencies in contemplation of the committee's approval of this proposed regulation. Accordingly, proposed regulations 2025-19A and 2025-20A are inextricably linked and should be jointly approved, disapproved or rejected by the committee in order to avoid any unintended regulatory impact.

3. Section 21a-421j of the Connecticut General Statutes is one of the authorizing statutes for the proposed regulation. Section 21a-421j(b)(4) of the Connecticut General Statutes requires the department to adopt regulations that establish, in consultation with the Department of Mental Health and Addiction Services, consumer health materials to be posted and distributed by cannabis establishments. There is no such requirement or reference to these materials in the proposed regulation.

### **Substantive Concerns:**

1. On page 11, in section 21a-421j-5(f), subdivisions (1) and (2) require the licensee to "*immediately* notify the department in writing if the licensee is unable to determine the cause of the discrepancy *within three days*." (Emphasis added). It is unclear whether "*immediately*" applies to the notification requirement or to the licensee's inability to determine the cause of the discrepancy, or whether "*within three days*" applies to the notification requirement or such determination. This should be clarified.
2. On page 25, section 21a-421j-14(k)(4) permits licensees to deviate from the requirement of distributing their oldest stock of cannabis first "if such deviation is temporary and *appropriate*". (Emphasis added). This provision conflicts with the requirement prescribed in section 21a-421l(a)(4) of the general statutes which provides that the procedures of a licensee may permit deviation from this requirement "if such deviation is temporary and *approved by the commissioner*." (Emphasis added). This provision should be rewritten to conform with the statutory provision.
3. In the resubmittal of the proposed regulation, the agency has deleted the entirety of section 21a-421j-29, but there are multiple references to said section that the agency did not remove or amend throughout the regulation, such as on page 38, in sections 21a-421j-25(b)(1) and 21a-421j-26(a), on page 40, in section 21a-421j-27(g), on page 41, in section 21a-421j-30(b) and on page 47, in section 21a-421j-32(h)(6). All references to said section in the proposed regulation need to be deleted or such provisions need to be otherwise revised.

**Technical Corrections:**

1. On pages 3 and 4, in section 21a-421j (46) and (47), the definitions for "Logo" and "Licensee" should be switched to follow alphabetical order, for consistency.
2. On page 6, in section 21a-421j-2(a)(3), "cannabis establishment" should be "establishment", for accuracy.
3. On page 7, in section 21a-421j-3(a), in the last line, "the requirements of" should be added before "this subsection", for proper form.
4. On page 8, in section 21a-421j-5(b)(1), subdivision designator "(1)" should be deleted, and subparagraph designators "(A)" to "(D)" should be subdivision designators "(1)" to "(4)", for proper form; and in newly designated subdivision (4), "such training" should be "such training requirement", for accuracy.
5. On page 9, in section 21a-421j-5(c)(5), "by the assigned user" should be moved to after "be used", for proper form.
6. On page 10, in section 21a-421j-5(d)(2)(M), the extra indentation of the subparagraph should be removed and "prescribed" should be "required", for clarity.
7. On page 10, in section 21a-421j-5 (d)(3)(G), a period should be added after "place", for proper form.
8. On page 12, in section 21a-421j-6(d)(1), "21a-421-12" should be "section 21a-421j-12" and the extra space after said citation should be deleted, for proper form.
9. On page 13, in section 21a-421j-7(a)(3), "At entry and exit points, the cannabis establishment shall angle cameras" should be "The cannabis establishment shall angle cameras at entry and exit points", for proper form.
10. On page 13, in section 21a-421j-7(a)(3)(A) clause designator "(i)" should be inserted after "latter of when", "or when the proceeding" should be "(ii) the proceeding" and "or the entity" should be "or (iii) the entity", for clarity.
11. On page 13, in section 21a-421j-7(a)(3)(B), "subsection (a)(3)(A) of this section" should be "subparagraph (A) of this subdivision", for proper form.
12. On page 16, in section 21a-421j-9(a), in the third line, "a cannabis establishment" should be "an establishment", for accuracy; in the fifth line, "herein" should be "in this section", for proper form; in the seventh line, "hereof" should be "of this section", for clarity; and in the eighth and ninth lines, "cannabis establishment" should be "establishment", for accuracy.
13. On page 17, in section 21a-421j-9(c), in the next to last line, "the provisions of" should be inserted before "subsection (b) of this section", for proper form.
14. On page 17, in section 21a-421j-9(d), "areas of a cannabis" should be "areas of the establishment of a cannabis", for accuracy.
15. On pages 17 and 18, section 21a-421j-10 should be revised as follows, for clarity and proper form: Subsection designator "(a)" should be inserted before "Key employees"; current subsections (a) to (c) should be redesignated as subdivisions (1) to (3) of newly designated subsection (a); current subsection (d) should be

- redesignated as subsection (b) and within the same "If a key" should be "Any key" and "shall ensure" should be inserted before "the following items"; current subsection (e) should be redesignated as subsection (c) and within the same "If a key" should be "Any key", "retailer, the" should be "retailer shall ensure the" and the "; and" after "dispensed" should be "." ; and current subsection (f) should be redesignated as subsection (a)(4) and moved to before newly designated subsection (b).
16. On page 18, in section 21a-421j-11(a), "individual" should be "employee", for consistency.
  17. On page 18, in section 21a-421j-11(b), subparagraph designators "(A)" to "(C)" should be subdivision designators "(1)" to "(3)", for proper form.
  18. On page 18, in section 21a-421j-12(a), "cannabis testing" should be "a cannabis testing", for proper form.
  19. On page 19, in section 21a-421j-12(b), both references to "the Act" should be "RERACA", for clarity.
  20. On page 19, in section 21a-421j-12(c), in the last line, "any" should be "of any", for proper form.
  21. On page 19, in section 21a-421j-12(d), in the second line, the extra space after ownership should be deleted, for proper form.
  22. On page 19, in section 21a-421j-12(e), "shall assume" should be "will assume", for proper form.
  23. On page 19, in section 21a-421j-12, in subsections (g) and (h), a space should be inserted after each subsection designator, for proper form; and, in subsection (h), "alteration of a cannabis" should be "alteration of the establishment of a cannabis", for accuracy.
  24. On page 21, in section 21a-421j-13(d), in the third line, the comma after "means" should be deleted, for proper form; in subdivision (1), a comma should be inserted after "treatments", for proper form; line spaces should be added between subdivisions (5) to (7), inclusive, and the subsequent subsections, for proper form; and in subdivision (7), the phrase beginning with "appears" should be moved to the preceding line, for proper form.
  25. On page 22, in section 21a-421j-13(h)(2), a comma should be inserted after "discretion", for proper form.
  26. On page 22, in section 21a-421j-14(a), "section 21a-420 of the Connecticut General Statutes" should be "RERACA", for accuracy.
  27. On page 22, in section 21a-421j-14(c)(1)(A), "consumer, after" should be "consumer. After", for proper form and a comma should be inserted after "instance", for proper form.
  28. On pages 22 and 23, in sections 21a-421j-14(c)(1) and (c)(2), the underlining of subparagraph designators should be removed, for proper form.

29. On page 24, in section 21a-421j-14(i) and (j), a line space should be inserted between the subsections and, in subsection (j), a line space should be inserted before subdivision (1), for proper form.
30. On page 24, in section 21a-421j-14(j)(1), the reference to "sections 21a-408-1 to 21a-408-59, inclusive" contains many sections that are being repealed in regulation 2025-19A, which is currently before the committee. The reference should be updated to not include repealed sections.
31. On pages 24 and 25, in section 21a-421j-14(k), subdivision designators "(1)" to "(4)", inclusive, should be redesignated as subparagraph designators "(A)" to "(D)", inclusive, for proper form.
32. On page 26, in section 21a-421j-15, in subsections (a) and (e), "the provisions of" should be inserted before "section 21a-421j-16", for proper form.
33. On page 27, in section 21a-421j-15(h)(5), "subsection (4) of this section" should be "subdivision (4) of this subsection", for proper form.
34. On page 27, in section 21a-421j-15(i), "caretakers" should be "caregivers", for accuracy.
35. On page 28, in section 21a-421j-17(a), "Except as provided otherwise" should be "Except as otherwise provided", for proper form.
36. On page 28, in section 21a-421j-17(b), subparagraph designators "(A)" to "(C)", inclusive, should be subdivision designators "(1)" to "(3)", inclusive, for proper form; and on pages 28 and 29, subdivision designators "(1)" to "(5)", inclusive, should be subparagraph designators "(A)" to "(E)", inclusive, and in newly designated subparagraph (A), "therein" should be "in such system", for clarity; and in newly designated subparagraph (C), a comma should be inserted after "minimum necessary", for proper form.
37. On page 29, in section 21a-421j-17(c)(1), the comma after "hybrid retailer" should be deleted, for proper form.
38. On page 29, in section 21a-421j-17(c)(2), the comma after "research program" should be deleted, for proper form.
39. On page 29, in section 21a-421j-17(d), in the second line, the comma after the first "program" should be deleted, for proper form; "provisions. Notwithstanding the foregoing," should be "provisions, except", for clarity; and ", provided that such data shall under no circumstances" should be ". Under no circumstances shall such data", for proper form.
40. On page 29, in section 21a-421j-17(e)(4), "contracted by" should be "contracted with by", for proper form.
41. On page 30, in section 21a-421j-17(f), quotation marks should be inserted around "confidential information", for proper form.
42. On page 30, in section 21a-421j-19(a), "registration. Notwithstanding the foregoing," should be "registration, except", for clarity.

43. On page 30, in section 21a-421j-19(b), the catchline should be deleted, for consistency.
44. On page 31, in section 21a-421j-19(c), in the first line, "Dispensary" should be "Except as provided in subsection (d) of this section, dispensary", for proper form.
45. On page 31, in section 21a-421j-19(d), "Notwithstanding subsection (c) of this section, a" should be "A", for proper form.
46. On page 32, in section 21a-421j-20(c), "from the date the dispensing error is discovered should be deleted, for accuracy.
47. On page 32, in section 21a-421j-20(d)(2), "the dispensing" should be "any dispensing", for clarity.
48. On page 32, in section 21a-421j-21(a), in the third line, the extra space between "section" and the comma should be deleted, for proper form.
49. On page 33, in section 21a-421j-22, the text of the provision should be moved to the next line under the catchline, for proper form.
50. On page 34, in section 21a-421j-23(a)(2)(B) and (C), "22-611" should be "22-611", for proper form.
51. On page 34, in section 21a-421j-23(b), "A producer" should be "(1) Except as provided in subdivision (2) of this subsection" and "RERACA. Notwithstanding the foregoing, a" should be "RERACA. (2) A ", for clarity.
52. On page 35, in section 21a-421j-24, in the catchline, "**requirements**" should be "**Requirements**", for consistency.
53. On page 35, in section 21a-421j-24(a)(1), "Part" should be deleted, "Subpart C except" should be "Subpart C, except (A)" and "except that" should be "(B)", for proper form.
54. On page 35, in section 21a-421j-24(a)(5), "operations" should be "operation", for proper form.
55. On page 35, in section 21a-421j-24(d)(1) and (2), the first word of each subdivision should be capitalized, for consistency.
56. On page 36, in section 21a-421j-24(d)(2)(B), "employees that" should be "employees who", for proper form.
57. On page 36, in section 21a-421j-24(d)(2)(D), "Part" should be deleted, for proper form.
58. On page 36, in section 21a-421j-24(f), the first sentence should be deleted as unnecessarily repetitive of subsection (e).
59. On page 36, in section 21a-421j-24(g), "governmental duties" should be "employee's or governmental duties", for proper form.
60. On page 37, in section 21a-421j-25(a)(2), references to "21 CFR Part 211" should be "21 CFR 211", for proper form; and, in subparagraph (A), "using" should be "Using", for consistency.

61. On page 37, in section 21a-421j-25(a)(3), "the State" should be "the state", for proper form; and "the cannabis establishment" should be "a producer, cultivator, micro-cultivator, product manufacturer or food and beverage manufacturer", for accuracy.
62. On page 38, in section 21a-421j-25(a)(5), "font, each" should be "font, with each", for proper form.
63. On page 38, in section 21a-421j-25(a)(9), beginning in the third line, subparagraph designators "(A)" to "(C)" should be clause designators "(i)" to "(iii)", for proper form.
64. On pages 38 and 39, section 21a-421j-26 should be revised as follows, for proper form: The text of the first sentence should be moved below the catchline; subsection designators "(a)" to "(n)" should be redesignated as subdivision designators "(1)" to "(14)", inclusive; within newly designated subdivision (1), current subdivision designators "(1)" and "(2)" should be redesignated as subparagraph designators "(A)" and "(B)"; within newly designated subdivision (5), "State" should be "state", current subdivision designators "(1)" and "(2)" should be redesignated as subparagraph designators "(A)" and "(B)" and current subparagraph designators "(A)" and "(B)" should be redesignated as clause designators "(i)" and "(ii)"; in newly designated subdivisions (11) and (12), the extra space after trim should be deleted; and in newly designated subdivision (12), a semicolon should be inserted after "basis".
65. On pages 39 and 40, section 21a-421j-27 should be revised as follows, for proper form: The text of the first sentence should be moved below the catchline; subsection designators "(a)" to "(h)", inclusive, should be redesignated as subdivision designators "(1)" to "(8)", inclusive; within newly designated subdivision (1), "herein" should be "in this section" and subdivision designators "(1)" to "(3)" should be redesignated as subparagraph designators "(A)" to "(C)", inclusive; in newly designated subdivision (6), references to "21" should be "twenty-one"; and in newly designated subdivision (7), "herein" should be "in this section".
66. On page 40, in section 21a-421j-28(a)(5), references to subsections (g) and (h) of section 21a-421j-26 should be changed to references to subdivisions (7) and (8) of said section, for consistency with the changes made in technical correction number 63.
67. On page 42, in section 21a-421j-30(e), the extra line space in the middle of the section should be deleted, for proper form.
68. On page 42, in section 21a-421j-30(g)(5), the underlining under "qualifying" should be removed, for proper form.
69. On page 43, in section 21a-421j-31(a)(3), subdivision designators "(1)" and "(2)" should be redesignated as subparagraph designators "(A)" and "(B)", for proper form; and "THC. Notwithstanding the foregoing," should be "THC, except", for clarity.
70. On page 43, in section 21a-421j-31(c)(4), "white. Notwithstanding the foregoing," should be "white, except", for clarity.

71. On page 44, in section 21a-421j-32(a), "hereof" should be "of this section", for proper form.
72. On page 45, in section 21a-421j-32(a)(2)(J), "21a-421j(5)(M) of the general statutes" should be "21a-421j(b)(5)(M) of the Connecticut General Statutes", for accuracy.
73. On page 45, in section 21a-421j-32(a)(3), "herein" should be "in this section", for clarity.
74. On pages 45 and 46, in section 21a-421j-32(b), in the second line, "section 21a-421j-31(c)(1)-(3)" should be "section 21a-421j-31(c)(1) to (3), inclusive, of the Regulations of Connecticut State Agencies", for proper form; in the third line, "subdivision (a)(2)" should be "subsection (a)(2)", for proper form; in the fourth line, "subparagraphs (a)(2)(C),(F),(G)" should be "subparagraphs (C), (F) and (G) of subsection (a)(2)", for proper form; "of the Regulations of Connecticut State Agencies" should be inserted after both references to "section 21a-421j-31", for proper form; "section 21a-421j-32" should be "this section", for proper form; and "subdivisions (c)(1)-(3)" should be "subdivisions (1) to (3), inclusive, of subsection (c)", for proper form.
75. On page 46, in section 21a-421j-32(d), "width. Notwithstanding the foregoing," should be "width, except", for proper form.
76. On page 46, in section 21a-421j-32(e), "appeal" should be "be designed to appeal", for accuracy.
77. On page 47, in section 21a-421j-32(g)(7), ", as defined in section 21a-420 of the Connecticut General Statutes" should be deleted as unnecessary, and "State" should be "state", for proper form.
78. On page 47, in section 21a-421j-32(g)(10), the extra spaces before "Additional" should be deleted and "to" should be "on", for proper form.
79. On page 47, in section 21a-421j-32(h), "subsection (a)" should be "subsection (a) of this section", and, in subdivision (7), "section 21a-421j-32(a)(2)" should be "subsection (a)(2) of this section", for proper form.
80. On page 48, in section 21a-421j-32(i), "subsection (a)" should be "subsection (a) of this section", for proper form.
81. On page 48, in section 21a-421j-32(j), "organically grown in accordance with" should be ""organically grown", as defined in", for consistency.
82. On page 48, in section 21a-421j-33(a)(2)(A), "License" should be "The license", for proper form.
83. On page 49, in section 21a-421j-34(a), "State" should be "state", for proper form.
84. On page 49, in section 21a-421j-34(c), "provided that" should be "except", for proper form.
85. On page 50, in section 21a-421j-34(e), "persons that" should be "persons who" and "individuals that" should be "individuals who", for proper form.

86. On page 51, in section 21a-421j-36(b), "shall mean" should be "means", for proper form.
87. On page 51, in section 21a-421j-36(c), in the first line, the extra spaces before and after "transporting" should be deleted, for proper form.
88. On page 52, in section 21a-421j-36(g), "communication. Notwithstanding the foregoing, this provision" should be "communication, except the provisions of this subsection", for proper form.
89. On page 54, in section 21a-421j-38(c), a comma should be inserted after "approves", for proper form.
90. On page 54, in section 21a-421j-39, the text of the provision should be moved to the next line under the catchline, in the fourth line, "with sections" should be "with the provisions of sections", and subsection designators "(a)" to "(d)" should be redesignated as subdivision designators "(1)" to "(4)", for proper form.

**Recommendation:**

<p><b>Approval in whole</b> <b>with technical corrections</b> <b>with deletions</b> <b>with substitute pages</b> <b>Disapproval in whole or in part</b> <b>X Rejection without prejudice</b></p>
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**Reviewed by:** Shannon McCarthy / Christopher Cordima

**Date:** May 27, 2025

**Sec. 21a-420q. Regulations re maximum grow space. Policies and procedures.** The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to establish the maximum grow space permitted by a cultivator and micro-cultivator. In adopting such regulations, the commissioner shall seek to ensure an adequate supply of cannabis for the market. Notwithstanding the requirements of sections 4-168 to 4-172, inclusive, in order to effectuate this section, prior to adopting such regulations, the commissioner shall issue policies and procedures to implement the provisions of this section that shall have the force and effect of law. The commissioner shall post all policies and procedures on the department's Internet web site and submit such policies and procedures to the Secretary of the State for posting on the eRegulations System, at least fifteen days prior to the effective date of any policy or procedure. Any such policy or procedure shall no longer be effective upon the earlier of either the adoption of the policy or procedure as a final regulation under section 4-172 or forty-eight months from July 1, 2021, if such regulations have not been submitted to the legislative regulation review committee for consideration under section 4-170. **Sec. 21a-420z. Delivery service and transporter licenses. Regulations and policies and procedures. Registration of delivery service employees.** (a) On and after July 1, 2021, the department may issue or renew a license for a person to be a delivery service or a transporter. No person may act as a delivery service or transporter or represent that such person is a licensed delivery service or transporter unless such person has obtained a license from the department pursuant to this section.

(b) Upon application for a delivery service or transporter license, the applicant shall indicate whether the applicant is applying to transport cannabis (1) between cannabis establishments, in which case the applicant shall apply for a transporter license, or (2) from certain cannabis establishments to consumers or qualifying patients and caregivers, or a combination thereof, in which case the applicant shall apply for a delivery service license.

(c) A delivery service may (1) deliver cannabis from a micro-cultivator, retailer, or hybrid retailer directly to a consumer, and (2) deliver cannabis and medical marijuana products from a hybrid retailer or dispensary facility directly to a qualifying patient, caregiver, or hospice or other inpatient care facility licensed by the Department of Public Health pursuant to chapter 368v that has protocols for the handling and distribution of cannabis that have been approved by the Department of Consumer Protection. A delivery service may not store or maintain control of cannabis or medical marijuana products for more than twenty-four hours between the point when a consumer, qualifying patient, caregiver or facility places an order, until the time that the cannabis or medical marijuana product is delivered to such consumer, qualifying patient, caregiver or facility.

(d) A transporter may deliver cannabis between cannabis establishments, research

programs and cannabis testing laboratories and shall not store or maintain control of cannabis for more than twenty-four hours from the time the transporter obtains the cannabis from a cannabis establishment, research program or cannabis testing laboratory until the time such cannabis is delivered to the destination.

(e) The commissioner shall adopt regulations, in accordance with chapter 54, to implement the provisions of RERACA. Notwithstanding the requirements of sections 4-168 to 4-172, inclusive, in order to effectuate the purposes of RERACA and protect public health and safety, prior to adopting such regulations the commissioner shall issue policies and procedures to implement the provisions of this section that shall have the force and effect of law. The commissioner shall post all policies and procedures on the department's Internet web site, and submit such policies and procedures to the Secretary of the State for posting on the eRegulations System, at least fifteen days prior to the effective date of any policy or procedure. Any such policy or procedure shall no longer be effective upon the earlier of either adoption of such policy or procedure as a final regulation under section 4-172 or forty-eight months from July 1, 2021, if such final regulations have not been submitted to the legislative regulation review committee for consideration under section 4-170. The commissioner shall issue policies and procedures, and thereafter adopt final regulations, requiring that: (1) The delivery service and transporter meet certain security requirements related to the storage, handling and transport of cannabis, the vehicles employed, the conduct of employees and agents, and the documentation that shall be maintained by the delivery service, transporter and its drivers; (2) a delivery service that delivers cannabis to consumers maintain an online interface that verifies the age of consumers ordering cannabis for delivery and meets certain specifications and data security standards; and (3) a delivery service that delivers cannabis to consumers, qualifying patients or caregivers, and all employees and agents of such licensee, to verify the identity of the qualifying patient, caregiver or consumer and the age of the consumer upon delivery of cannabis to the end consumer, qualifying patient or caregiver, in a manner acceptable to the commissioner. The individual placing the cannabis order shall be the individual accepting delivery of the cannabis except, in the case of a qualifying patient, the individual accepting the delivery may be the caregiver of such qualifying patient.

(f) A delivery service shall not gift or transfer cannabis at no cost to a consumer or qualifying patient or caregiver as part of a commercial transaction.

(g) A delivery service that employs twelve or more individuals to deliver cannabis pursuant to subsection (c) of this section may only use individuals employed on a full-time basis, not less than thirty-five hours a week, to deliver cannabis pursuant to subsection (c) of this section. Any delivery service employees who deliver cannabis shall be registered with the department, and a delivery service shall not employ more than twenty-five such

delivery employees at any given time.

(h) No provision of this section shall be construed to excuse any delivery service from the requirement that such delivery service enter into a labor peace agreement with a bona fide labor organization under section 21a-421d.

**Sec. 21a-421a. Registration requirement for employees of cannabis establishment, cannabis testing laboratory or research program. Licensure requirement for backers and key employees. Application requirements. Notice requirements. Regulations.** (a)

Each employee of a cannabis establishment, cannabis testing laboratory or research program, other than a key employee, shall annually apply for and obtain a registration, on a form and in a manner prescribed by the commissioner, prior to commencing employment at the cannabis establishment business.

(b) No person shall act as a backer or key employee, or represent that such person is a backer or key employee, unless such person has obtained a license from the department pursuant to this subsection. Such person shall apply for a license on a form and in a manner prescribed by the commissioner. Such form may require the applicant to: (1) Submit to a state and national criminal history records check conducted in accordance with section 29-17a, which may include a financial history check if requested by the commissioner, to determine the character and fitness of the applicant for the license, (2) provide information sufficient for the department to assess whether the applicant has an ownership interest in any other cannabis establishment, cannabis establishment applicant or cannabis-related business nationally or internationally, (3) provide demographic information, and (4) obtain such other information as the department determines is consistent with the requirements of RERACA or chapter 420f. A backer or key employee shall be denied a license in the event his or her background check reveals a disqualifying conviction.

(c) Except as provided in subsection (d) of this section, any person who receives a cannabis establishment license, backer or key employee license or employee registration issued pursuant to subsection (a) of this section shall notify the department, in writing, of any changes to the information supplied on the application for such license or registration not later than five business days after such change.

(d) Any person who receives a cannabis establishment license or backer or key employee license shall notify the department, in a manner prescribed by the department, of any arrest or conviction of such person for an offense that would constitute a disqualifying conviction, as defined in section 21a-420, not later than forty-eight hours after such arrest or conviction.

(e) The department may adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of this section, or may adopt policies and procedures as set forth in section 21a-421j, prior to adopting such final regulations. **Sec. 21a-421j.**

**Regulations required to implement RERACA. Policies and procedures.** (a) As used in this section, "total THC" has the same meaning as provided in section 21a-240.

(b) The commissioner shall adopt regulations in accordance with chapter 54 to implement the provisions of RERACA. Notwithstanding the requirements of sections 4-168 to 4-172, inclusive, in order to effectuate the purposes of RERACA and protect public health and safety, prior to adopting such regulations the commissioner shall issue policies and procedures to implement the provisions of RERACA that shall have the force and effect of law. The commissioner shall post all policies and procedures on the department's Internet web site and submit such policies and procedures to the Secretary of the State for posting on the eRegulations System, at least fifteen days prior to the effective date of any policy or procedure. The commissioner shall also provide such policies and procedures, in a manner prescribed by the commissioner, to each licensee. Any such policy or procedure shall no longer be effective upon the earlier of either the adoption of the policy or procedure as a final regulation under section 4-172 or forty-eight months from June 22, 2021, if such regulations have not been submitted to the legislative regulation review committee for consideration under section 4-170. The commissioner shall issue policies and procedures and thereafter final regulations that include, but are not limited to, the following:

(1) Setting appropriate dosage, potency, concentration and serving size limits and delineation requirements for cannabis, provided a standardized serving of edible cannabis product or beverage, other than a medical marijuana product, shall contain not more than five milligrams of THC.

(2) Requiring that each single standardized serving of cannabis product in a multiple-serving edible product or beverage is physically demarked in a way that enables a reasonable person to determine how much of the product constitutes a single serving and a maximum amount of THC per multiple-serving edible cannabis product or beverage.

(3) Requiring that, if it is impracticable to clearly demark every standardized serving of cannabis product or to make each standardized serving easily separable in an edible cannabis product or beverage, the product, other than cannabis concentrate or medical marijuana product, shall contain not more than five milligrams of THC per unit of sale.

(4) Establishing, in consultation with the Department of Mental Health and Addiction Services, consumer health materials that shall be posted or distributed, as specified by the commissioner, by cannabis establishments to maximize dissemination to cannabis

consumers. Consumer health materials may include pamphlets, packaging inserts, signage, online and printed advertisements and advisories and printed health materials.

(5) Imposing labeling and packaging requirements for cannabis sold by a cannabis establishment that include, but are not limited to, the following:

(A) Inclusion of universal symbols to indicate that cannabis, or a cannabis product, contains THC and is not legal or safe for individuals younger than twenty-one years of age, and prescribe how such product and product packaging shall utilize and exhibit such symbols.

(B) A disclosure concerning the length of time it typically takes for the cannabis to affect an individual, including that certain forms of cannabis take longer to have an effect.

(C) A notation of the amount of cannabis the cannabis product is considered the equivalent to.

(D) A list of ingredients and all additives for cannabis.

(E) Except as provided in subdivision (3) of subsection (f) of section 21a-420p, child-resistant, tamper-resistant and light-resistant packaging. For the purposes of this subparagraph, packaging shall be deemed to be (i) child-resistant if the packaging satisfies the standard for special packaging established in 16 CFR 1700.1(b)(4), as amended from time to time, (ii) tamper-resistant if the packaging has at least one barrier to, or indicator of, entry that would preclude the contents of such packaging from being accessed or adulterated without indicating to a reasonable person that such packaging has been breached, and (iii) light-resistant if the packaging is entirely and uniformly opaque and protects the entirety of the contents of such packaging from the effects of light.

(F) Except as provided in subdivision (3) of subsection (f) of section 21a-420p, (i) packaging for cannabis intended for multiple servings to be resealable in such a manner so as to render such packaging continuously child-resistant, as described in subparagraph (E)(i) of this subdivision, and preserve the integrity of the contents of such packaging, and (ii) if packaging for cannabis intended for multiple servings contains any edible cannabis product, for each single standardized serving to be easily discernible and (I) individually wrapped, or (II) physically demarked and delineated as required under this subsection.

(G) Impervious packaging that protects the contents of such packaging from contamination and exposure to any toxic or harmful substance, including, but not limited to, any glue or other adhesive or substance that is incorporated in such packaging.

(H) Product tracking information sufficient to determine where and when the cannabis

was grown and manufactured such that a product recall could be effectuated.

(I) A net weight statement.

(J) A recommended use by or expiration date.

(K) Standard and uniform packaging and labeling, including, but not limited to, requirements (i) regarding branding or logos, (ii) that all packaging be opaque, and (iii) that amounts and concentrations of THC and cannabidiol, per serving and per package, be clearly marked on the packaging or label of any cannabis product sold.

(L) For any cannabis concentrate cannabis product that contains a total THC percentage greater than thirty per cent, a warning that such cannabis product is a high-potency product and may increase the risk of psychosis.

(M) Chemotypes, which shall be displayed as (i) "High THC, Low CBD" where the ratio of THC to CBD is greater than five to one and the total THC percentage is at least fifteen per cent, (ii) "Moderate THC, Moderate CBD" where the ratio of THC to CBD is at least one to five but not greater than five to one and the total THC percentage is greater than five per cent but less than fifteen per cent, (iii) "Low THC, High CBD" where the ratio of THC to CBD is less than one to five and the total THC percentage is not greater than five per cent, or (iv) the chemotype described in clause (i), (ii) or (iii) of this subparagraph that most closely fits the cannabis or cannabis product, as determined by mathematical analysis of the ratio of THC to CBD, where such cannabis or cannabis product does not fit a chemotype described in clause (i), (ii) or (iii) of this subparagraph.

(N) A requirement that, prior to being sold and transferred to a consumer, qualifying patient or caregiver, cannabis packaging be clearly labeled, whether printed directly on such packaging or affixed by way of a separate label, other than an extended content label, with:

(i) A unique identifier generated by a cannabis analytic tracking system maintained by the department and used to track cannabis under the policies and procedures issued, and final regulations adopted, by the commissioner pursuant to this section; and

(ii) The following information concerning the cannabis contained in such packaging, which shall be in legible English, black lettering, Times New Roman font, flat regular typeface, on a contrasting background and in uniform size of not less than one-tenth of one inch, based on a capital letter "K", which information shall also be available on the Internet web site of the cannabis establishment that sells and transfers such cannabis:

(I) The name of such cannabis, as registered with the department under the policies and

procedures issued, and final regulations adopted, by the commissioner pursuant to this section.

(II) The expiration date, which shall not account for any refrigeration after such cannabis is sold and transferred to the consumer, qualifying patient or caregiver.

(III) The net weight or volume, expressed in metric and imperial units.

(IV) The standardized serving size, expressed in customary units, and the number of servings included in such packaging, if applicable.

(V) Directions for use and storage.

(VI) Each active ingredient comprising at least one per cent of such cannabis, including cannabinoids, isomers, esters, ethers and salts and salts of isomers, esters and ethers, and all quantities thereof expressed in metric units and as a percentage of volume.

(VII) A list of all known allergens, as identified by the federal Food and Drug Administration, contained in such cannabis, or the denotation "no known FDA identified allergens" if such cannabis does not contain any allergen identified by the federal Food and Drug Administration.

(VIII) The following warning statement within, and outlined by, a red box:

"This product is not FDA-approved, may be intoxicating, cause long-term physical and mental health problems, and have delayed side effects. It is illegal to operate a vehicle or machinery under the influence of cannabis. Keep away from children."

(IX) At least one of the following warning statements, rotated quarterly on an alternating basis:

"Warning: Frequent and prolonged use of cannabis can contribute to mental health problems over time, including anxiety, depression, stunted brain development and impaired memory."

"Warning: Consumption while pregnant or breastfeeding may be harmful."

"Warning: Cannabis has intoxicating effects and may be habit-forming and addictive."

"Warning: Consuming more than the recommended amount may result in adverse effects requiring medical attention."

(X) All information necessary to comply with labeling requirements imposed under the laws of this state and federal law, including, but not limited to, sections 21a-91 to 21a-120,

inclusive, and 21a-151 to 21a-159, inclusive, the Federal Food, Drug and Cosmetic Act, 21 USC 301 et seq., as amended from time to time, and the federal Fair Packaging and Labeling Act, 15 USC 1451 et seq., as amended from time to time, for similar products that do not contain cannabis.

(XI) Such additional warning labels for certain cannabis products as the commissioner may require and post on the department's Internet web site.

(6) Establishing laboratory testing standards, consumer disclosures concerning mold and yeast in cannabis and permitted remediation practices.

(7) Restricting forms of cannabis products and cannabis product delivery systems to ensure consumer safety and deter public health concerns.

(8) Prohibiting certain manufacturing methods, or inclusion of additives to cannabis products, including, but not limited to, (A) added flavoring, terpenes or other additives unless approved by the department, or (B) any form of nicotine or other additive containing nicotine.

(9) Prohibiting cannabis product types that appeal to children.

(10) Establishing physical and cyber security requirements related to build out, monitoring and protocols for cannabis establishments as a requirement for licensure.

(11) Placing temporary limits on the sale of cannabis in the adult-use market, if deemed appropriate and necessary by the commissioner, in response to a shortage of cannabis for qualifying patients.

(12) Requiring retailers and hybrid retailers to make best efforts to provide access to (A) low-dose THC products, including products that have one milligram and two and a half milligrams of THC per dose, and (B) high-dose CBD products.

(13) Requiring producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers to register brand names for cannabis, in accordance with the policies and procedures and subject to the fee set forth in, regulations adopted under chapter 420f.

(14) Prohibiting a cannabis establishment from selling, other than the sale of medical marijuana products between cannabis establishments and the sale of cannabis to qualified patients and caregivers, (A) cannabis flower or other cannabis plant material with a total THC concentration greater than thirty per cent on a dry-weight basis, and (B) any cannabis product other than cannabis flower and cannabis plant material with a total THC

concentration greater than sixty per cent on a dry-weight basis, except that the provisions of subparagraph (B) of this subdivision shall not apply to the sale of prefilled cartridges for use in an electronic cannabis delivery system, as defined in section 19a-342a and the department may adjust the percentages set forth in subparagraph (A) or (B) of this subdivision in regulations adopted pursuant to this section for purposes of public health or to address market access or shortage. As used in this subdivision, "cannabis plant material" means material from the cannabis plant, as defined in section 21a-279a.

(15) Permitting the outdoor cultivation of cannabis.

(16) Prohibiting packaging that is (A) visually similar to any commercially similar product that does not contain cannabis, or (B) used for any good that is marketed to individuals reasonably expected to be younger than twenty-one years of age.

(17) Allowing packaging to include a picture of the cannabis product and contain a logo of one cannabis establishment, which logo may be comprised of not more than three colors and provided neither black nor white shall be considered one of such three colors.

(18) Requiring packaging to (A) be entirely and uniformly one color, and (B) not incorporate any information, print, embossing, debossing, graphic or hidden feature, other than any permitted or required label.

(19) Requiring that packaging and labeling for an edible cannabis product, excluding the warning labels required under this subsection and a picture of the cannabis product described in subdivision (17) of this subsection but including, but not limited to, the logo of the cannabis establishment, shall only be comprised of black and white or a combination thereof.

(20) (A) Except as provided in subparagraph (B) of this subdivision, requiring that delivery device cartridges be labeled, in a clearly legible manner and in as large a font as the size of the device reasonably allows, with only the following information (i) the name of the cannabis establishment where the cannabis is grown or manufactured, (ii) the cannabis brand, (iii) the total THC and total CBD content contained within the delivery device cartridge, (iv) the expiration date, and (v) the unique identifier generated by a cannabis analytic tracking system maintained by the department and used to track cannabis under the policies and procedures issued, and final regulations adopted, by the commissioner pursuant to this section.

(B) A cannabis establishment may emboss, deboss or similarly print the name of the cannabis establishment's business entity, and one logo with not more than three colors, on a delivery device cartridge.

(21) Prescribing signage to be prominently displayed at dispensary facilities, retailers and hybrid retailers disclosing (A) possible health risks related to mold, and (B) the use and possible health risks related to the use of mold remediation techniques.

**Sec. 21a-421k. Regulations to effectuate purposes of RERACA and protect public health and safety. Policies and procedures.** (a) The commissioner may adopt regulations in accordance with chapter 54, including emergency regulations pursuant to section 4-168, to implement the provisions of RERACA.

(b) Notwithstanding the requirements of sections 4-168 to 4-172, inclusive, in order to effectuate the purposes of RERACA and protect public health and safety, prior to adopting such regulations the commissioner shall implement policies and procedures to implement the provisions of RERACA that shall have the force and effect of law. The commissioner shall post all such policies and procedures on the department's Internet web site and submit such policies and procedures to the Secretary of the State for posting on the eRegulations System, at least fifteen days prior to the effective date of any policy or procedure. Any such policies and procedures shall no longer be effective upon the earlier of either adoption of such policies and procedures as a final regulation under section 4-172 or forty-eight months from June 22, 2021, if such regulations have not been submitted to the legislative regulation review committee for consideration under section 4-170.

**Sec. 21a-421q. Purchase of cannabis by qualifying patients and caregivers.** (a) Qualifying patients and caregivers registered pursuant to chapter 420f shall be permitted to purchase cannabis of higher potency, varied dosage form, and in a larger per transaction or per day amount than are generally available for retail purchase, as determined by the commissioner. Such determination, if any, shall be published on the Department of Consumer Protection's Internet web site or included in regulations adopted by the department.

(b) Notwithstanding any provision of the general statutes, the sale or delivery of drug paraphernalia to a qualifying patient or caregiver or person licensed pursuant to the provisions of RERACA or chapter 420f, shall not be considered a violation of the provisions of RERACA.