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SENATE BILL NO. 1483

Senate Amendments in [] - January 31, 2025

A BILL to amend and reenact § 3.2-4122 of the Code of Virginia, relating to regulated hemp product retail facility registration; fee.

Patrons Prior to Engrossment—Senators Boysko and Salim

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-4122 of the Code of Virginia is amended and reenacted as follows:

§ 3.2-4122. (Effective November 15, 2024) Regulated hemp product retail facility registration; fee.

A. No person shall offer for sale or sell at retail (i) a regulated hemp product or (ii) a substance intended for human consumption, orally or by inhalation, that is advertised or labeled as containing an industrial hemp-derived cannabinoid without a regulated hemp product retail facility registration.

B. A nonrefundable annual registration fee of \$1,000 shall be required with each application for a regulated hemp product retail facility registration.

C. Each registration issued pursuant to this section shall be valid for a period of one year from the date of issuance and may be renewed in successive years. Each annual renewal shall require the payment of the nonrefundable annual registration fee prescribed in subsection B.

D. A regulated hemp product retail facility registration shall be required for each the primary location that offers for sale or sells at retail regulated hemp products. A registration shall authorize the offering for sale or sale of regulated hemp products at the location specified in the registration;

E. The applicant shall be required to notify the Commissioner no less than 14 days in advance of any additional temporary event locations, including fairs, festivals, or farmers markets, at which the hemp product retail facility intends to offer for sale or sell at retail (i) a regulated hemp product or (ii) a substance intended for human consumption, orally or by inhalation, that is advertised or labeled as containing an industrial hemp-derived cannabinoid. [However, no such product or substance that contains tetrahydrocannabinol may be sold at any such temporary event location.]

F. Any person seeking a regulated hemp product retail facility registration shall apply to the Commissioner on a form provided by the Commissioner. At a minimum, the application shall include:

1. The name and mailing address of the applicant;
2. The physical address of the facility from which the applicant intends to offer for sale or sell at retail a regulated hemp product. A registration shall authorize the offering for sale or sale of regulated hemp products only at the location specified in the registration;
3. Written consent allowing the Commissioner or his designee to enter the location from which the regulated hemp product is offered for sale or sold to ensure compliance with the requirements of this article;
4. If the applicant intends to offer for sale or sell an edible hemp product, a copy of the permit issued by the Commissioner pursuant to § 3.2-5100;
5. Any other information required by the Commissioner; and
6. The payment of a nonrefundable application fee.

G. This section shall not apply to products that are (i) approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) dispensed pursuant to Article 4.2 (§ 54.1-3442.5 et seq.) of the Drug Control Act.

ENGROSSED

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