

1 SB326
2 219217-1
3 By Senator Melson
4 RFD: Governmental Affairs
5 First Read: 17-MAR-22

8 SYNOPSIS: Under current law, hemp contains
9 psychoactive and non-psychoactive cannabinoids.

10 This bill would prohibit the sale,
11 distribution, marketing, or possession of
12 psychoactive cannabinoids found in hemp to any
13 individuals under 21 years of age.

14 Amendment 621 of the Constitution of Alabama
15 of 1901, as amended by Amendment 890, now appearing
16 as Section 111.05 of the Official Recompilation of
17 the Constitution of Alabama of 1901, as amended,
18 prohibits a general law whose purpose or effect
19 would be to require a new or increased expenditure
20 of local funds from becoming effective with regard
21 to a local governmental entity without enactment by
22 a 2/3 vote unless: it comes within one of a number
23 of specified exceptions; it is approved by the
24 affected entity; or the Legislature appropriates
25 funds, or provides a local source of revenue, to
26 the entity for the purpose.

1 The purpose or effect of this bill would be
2 to require a new or increased expenditure of local
3 funds within the meaning of the amendment. However,
4 the bill does not require approval of a local
5 governmental entity or enactment by a 2/3 vote to
6 become effective because it comes within one of the
7 specified exceptions contained in the amendment.

8
9 A BILL
10 TO BE ENTITLED
11 AN ACT

12
13 Relating to controlled substances; to prohibit the
14 sale, distribution, marketing, or possession of psychoactive
15 cannabinoids found in hemp for certain age groups; and in
16 connection therewith would have as its purpose or effect the
17 requirement of a new or increased expenditure of local funds
18 within the meaning of Amendment 621 of the Constitution of
19 Alabama of 1901, as amended by Amendment 890, now appearing as
20 Section 111.05 of the Official ReCompilation of the
21 Constitution of Alabama of 1901, as amended.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. (a) Psychoactive cannabinoids derived
24 from or found in hemp as defined in Section 2-8-381, Code of
25 Alabama 1975, shall not be sold, distributed, marketed to, or
26 possessed by an individual who is under 21 years of age.

1 (b) Any product derived from or found in hemp, as
2 defined in Section 2-8-381, Code of Alabama 1975, shall not
3 contain more than 0.3 percent delta-9 tetrahydrocannabinol on
4 a dry weight basis.

5 (c) A violation of subsection (a) shall be a Class B
6 misdemeanor.

7 Section 2. Although this bill would have as its
8 purpose or effect the requirement of a new or increased
9 expenditure of local funds, the bill is excluded from further
10 requirements and application under Amendment 621, as amended
11 by Amendment 890, now appearing as Section 111.05 of the
12 Official Recompilation of the Constitution of Alabama of 1901,
13 as amended, because the bill defines a new crime or amends the
14 definition of an existing crime.

15 Section 3. This act shall become effective on the
16 first day of the third month following its passage and
17 approval by the Governor, or its otherwise becoming law.