



House of Representatives

General Assembly

File No. 195

February Session, 2022

Substitute House Bill No. 5155

House of Representatives, March 30, 2022

The Committee on Children reported through REP. LINEHAN of the 103rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE SAFE STORAGE AND DISPOSAL OF OPIOID DRUGS, CANNABIS AND CANNABIS PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2022*) (a) As used in this section:
- 2 (1) "Cannabis" has the same meaning as provided in section 21a-420
3 of the general statutes;
- 4 (2) "Cannabis product" has the same meaning as provided in section
5 21a-420 of the general statutes; and
- 6 (3) "Opioid drug" has the same meaning as provided in section 20-
7 14o of the general statutes.
- 8 (b) Not later than December 1, 2022, the Department of Consumer
9 Protection, in consultation with the Department of Mental Health and
10 Addiction Services, shall develop documents concerning the safe
11 storage and disposal by consumers of (1) opioid drugs, and (2) cannabis
12 and cannabis products. Such documents shall contain, but need not be

13 limited to, information concerning (A) best practices for (i) storing
14 opioid drugs and cannabis and cannabis products in a manner that
15 renders such items inaccessible to children, and (ii) disposal of unused
16 and expired opioid drugs and cannabis and cannabis products, and (B)
17 the risk of illness and death associated with the ingestion of opioid
18 drugs and cannabis and cannabis products by children. Not later than
19 December 15, 2022, the Department of Consumer Protection shall
20 publish such documents on its Internet web site.

21 (c) Not later than December 1, 2022, the Department of Consumer
22 Protection, in consultation with the Department of Mental Health and
23 Addiction Services, shall develop short statements for publication on (1)
24 consumer packaging for opioid drugs (A) alerting consumers to the
25 necessity of safely storing and disposing of opioid drugs, (B) alerting
26 consumers to the risk of illness and death associated with the ingestion
27 of opioid drugs by children, and (C) providing the Internet web site
28 address where the document developed pursuant to subdivision (1) of
29 subsection (b) of this section is located, and (2) consumer receipts for
30 cannabis and cannabis products (A) alerting consumers to the necessity
31 of safely storing and disposing of cannabis and cannabis products, (B)
32 alerting consumers to the risk of illness and death associated with the
33 ingestion of cannabis and cannabis products by children, and (C)
34 providing the Internet web site address where the document developed
35 pursuant to subdivision (2) of subsection (b) of this section is located.

36 Sec. 2. (NEW) (*Effective July 1, 2022*) Not later than January 1, 2023,
37 each pharmacy, as defined in section 20-635 of the general statutes, shall
38 post a sign in a conspicuous place on the premises of such pharmacy,
39 notifying consumers that they may visit the Internet web site of the
40 Department of Consumer Protection for information concerning the safe
41 storage and disposal of opioid drugs. Such sign shall be not less than
42 eight inches by ten inches in size.

43 Sec. 3. (NEW) (*Effective July 1, 2022*) Not later than January 1, 2023,
44 each retailer, as defined in section 21a-420 of the general statutes, and
45 hybrid retailer, as defined in section 21a-420 of the general statutes, shall

46 post a sign in a conspicuous place on the premises of such retailer or
47 hybrid retailer, notifying consumers that they may visit the Internet web
48 site of the Department of Consumer Protection for information
49 concerning the safe storage and disposal of cannabis and cannabis
50 products. Such sign shall be not less than eight inches by ten inches in
51 size.

52 Sec. 4. Section 20-617 of the general statutes is amended by adding
53 subsection (d) as follows (*Effective July 1, 2022*):

54 (NEW) (d) On and after January 1, 2023, each pharmacist shall
55 include in a conspicuous location on any packaging in which is
56 contained any prescription for an opioid drug, as defined in section 20-
57 14o, in all capital letters of not less than twelve-point boldface type, the
58 short statement developed pursuant to subdivision (1) of subsection (c)
59 of section 1 of this act.

60 Sec. 5. Section 21a-421j of the 2022 supplement to the general statutes
61 is repealed and the following is substituted in lieu thereof (*Effective July*
62 *1, 2022*):

63 The commissioner shall adopt regulations in accordance with chapter
64 54 to implement the provisions of RERACA. Notwithstanding the
65 requirements of sections 4-168 to 4-172, inclusive, in order to effectuate
66 the purposes of RERACA and protect public health and safety, prior to
67 adopting such regulations the commissioner shall issue policies and
68 procedures to implement the provisions of RERACA that shall have the
69 force and effect of law. The commissioner shall post all policies and
70 procedures on the department's Internet web site and submit such
71 policies and procedures to the Secretary of the State for posting on the
72 eRegulations System, at least fifteen days prior to the effective date of
73 any policy or procedure. Any such policy or procedure shall no longer
74 be effective upon the earlier of either the adoption of the policy or
75 procedure as a final regulation under section 4-172 or forty-eight
76 months from June 22, 2021, if such regulations have not been submitted
77 to the legislative regulation review committee for consideration under
78 section 4-170. The commissioner shall issue policies and procedures and

79 thereafter final regulations that include, but are not limited to, the
80 following:

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

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

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

97 (4) Establishing, in consultation with the Department of Mental
98 Health and Addiction Services, consumer health materials that shall be
99 posted or distributed, as specified by the commissioner, by cannabis
100 establishments to maximize dissemination to cannabis consumers.
101 Consumer health materials may include pamphlets, packaging inserts,
102 signage, online and printed advertisements and advisories and printed
103 health materials;

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

107 (A) A universal symbol to indicate that cannabis or a cannabis
108 product contains cannabis, and prescribe how such product and
109 product packaging shall utilize and exhibit such symbol;

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

113 (C) A notation of the amount of cannabis the cannabis product is
114 considered the equivalent to;

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

116 (E) Child-resistant packaging including requiring that an edible
117 product be individually wrapped;

118 (F) Product tracking information sufficient to determine where and
119 when the cannabis was grown and manufactured such that a product
120 recall could be effectuated;

121 (G) A net weight statement;

122 (H) A recommended use by or expiration date; and

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

128 (6) Establishing laboratory testing standards;

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

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

137 (9) Prohibiting cannabis product types that appeal to children;

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

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

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

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

152 (14) Prohibiting a cannabis establishment from selling, other than the
153 sale of medical marijuana products between cannabis establishments
154 and the sale of cannabis to qualified patients and caregivers, (A)
155 cannabis flower or other cannabis plant material with a total THC
156 concentration greater than thirty per cent on a dry-weight basis, and (B)
157 any cannabis product other than cannabis flower and cannabis plant
158 material with a total THC concentration greater than sixty per cent on a
159 dry-weight basis, except that the provisions of subparagraph (B) of this
160 subdivision shall not apply to the sale of prefilled cartridges for use in
161 an electronic cannabis delivery system, as defined in section 19a-342a
162 and the department may adjust the percentages set forth in
163 subparagraph (A) or (B) of this subdivision in regulations adopted
164 pursuant to this section for purposes of public health or to address
165 market access or shortage. As used in this subdivision, "total THC" has
166 the same meaning as provided in section 21a-240 and "cannabis plant
167 material" means material from the cannabis plant, as defined in section
168 21a-279a; [and]

169 (15) Permitting the outdoor cultivation of cannabis; [.] and

170 (16) On and after January 1, 2023, requiring retailers and hybrid
 171 retailers to include in a conspicuous location on each consumer receipt
 172 for any cannabis or cannabis product, in all capital letters of not less than
 173 twelve-point boldface type, the short statement developed pursuant to
 174 subdivision (2) of subsection (c) of section 1 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	New section
Sec. 2	July 1, 2022	New section
Sec. 3	July 1, 2022	New section
Sec. 4	July 1, 2022	20-617
Sec. 5	July 1, 2022	21a-421j

Statement of Legislative Commissioners:

In Section 1(b), "department" was changed to "Department of Consumer Protection", and in Section 1(c)(2), "receipts" was changed to "receipts for cannabis and cannabis products", for clarity.

KID *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill makes various changes regarding safe storage and disposal documents and statements on prescription packaging resulting in no fiscal impact to the state.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 5155*****AN ACT CONCERNING THE SAFE STORAGE AND DISPOSAL OF OPIOID DRUGS, CANNABIS AND CANNABIS PRODUCTS.*****SUMMARY**

This bill requires the Department of Consumer Protection (DCP), by December 1, 2022, and in consultation with the Department of Mental Health and Addiction Services (DMHAS), to do the following:

1. develop and distribute documents on the safe storage and disposal of opioid drugs, cannabis, and cannabis products and
2. develop similar short statements for publication on opioid prescription packaging and consumer cannabis and cannabis product receipts.

Additionally, starting January 1, 2023, the bill requires (1) pharmacists to include DCP's short statement on opioid prescription drug packaging and (2) the DCP commissioner to issue policies and procedures requiring cannabis retailers, excluding dispensaries, and hybrid retailers (i.e., retailers licensed to buy and sell cannabis and medical marijuana products) to do the same on consumer receipts. The statements must be placed in a conspicuous location and displayed in all capital letters in at least twelve-point boldface type.

Lastly, the bill requires pharmacists and cannabis retailers and hybrid retailers, by January 1, 2023, to post a sign in a conspicuous place on their premises, notifying consumers that they may visit DCP's website for information concerning the department's respective safe storage and disposal documents. The signs must be at least eight inches by ten inches in size.

EFFECTIVE DATE: July 1, 2022

DCP'S SAFE STORAGE DOCUMENTS AND STATEMENTS***Safe Storage and Disposal Documents***

By December 1, 2022, the bill requires DCP to develop, in consultation with DMHAS, documents concerning consumers' safe storage and disposal of opioid drugs, cannabis, and cannabis products that include information on:

1. best practices for (a) safely storing these drugs and products in a manner that makes them inaccessible to children and (b) disposing of the unused and expired ones and
2. the risk of illness and death associated with children's ingestion of these drugs and products.

The bill requires the DCP commissioner to post the documents on the DCP website by December 15, 2022.

Short Statements for Publication

Also by December 1, 2022, the bill requires DCP, in consultation with DMHAS, to develop short statements for publication on consumer (1) packaging for opioid drug prescriptions and (2) receipts for cannabis and cannabis products.

Under the bill, each statement must:

1. alert consumers of the need to safely store and dispose of opioid drugs or cannabis and cannabis products, and the risk of illness and death associated with their ingestion by children; and
2. provide DCP's website address, where the safe storage and disposal document described above is located.

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 13 Nay 0 (03/15/2022)