

H.700

Introduced by Representative Casey of Montpelier

Referred to Committee on

Date:

Subject: Alcoholic beverages, cannabis, and tobacco; cannabis establishments;
prohibited products

Statement of purpose of bill as introduced: This bill proposes to eliminate the
tetrahydrocannabinol cap of 30 percent for cannabis flower and 60 percent for
cannabis concentrates sold by licensed retailers; increase the
tetrahydrocannabinol cap per serving in a cannabis product from five
milligrams to 10 milligrams; and make minor technical changes.

An act relating to eliminating tetrahydrocannabinol limits for cannabis
flower and cannabis products sold by licensed cannabis retailers

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS AND PURPOSE

(a) The General Assembly finds:

(1) cannabis has been legalized for adult use in 24 states and the District
of Columbia;

1 (2) of the 25 legal jurisdictions, only Vermont, Virginia, Connecticut,
2 and Massachusetts limit cannabis edible potency to five milligrams of
3 tetrahydrocannabinol per serving;

4 (3) of these 25 jurisdictions, only Vermont and Connecticut limit
5 cannabis flower potency to 30 percent tetrahydrocannabinol and cannabis
6 concentrate potency to 60 percent tetrahydrocannabinol; and

7 (4) limits on cannabis product potency deprive cannabis consumers of
8 choice, drive high-potency consumers to the unregulated illicit market and
9 neighboring states, and incentivize underreporting potency, as well as the
10 dilution and underrefinement of concentrates, all of which increases risk to the
11 health and safety of cannabis consumers.

12 (b) The purpose of this act is to harmonize Vermont's cannabis potency
13 limits with the well-established national consensus among legal states and to
14 improve consumer safety.

15 Sec. 2. 7 V.S.A. § 868 is amended to read:

16 § 868. PROHIBITED PRODUCTS

17 (a) Except as provided in section 907 of this title relating to a retailer with a
18 medical endorsement, the following are prohibited products and may not be
19 cultivated, produced, or sold pursuant to a license issued under this chapter:

20 ~~(1) cannabis flower with greater than 30 percent tetrahydrocannabinol;~~

21 [Repealed.]

1 (2) flavored oil cannabis products sold prepackaged for use with battery-
2 powered devices and any cannabis flower that contains characterizing flavor
3 that is not naturally occurring in the cannabis;

4 (3) cannabis products that contain delta-9 tetrahydrocannabinol and
5 nicotine or alcoholic beverages; and

6 (4) any cannabis, cannabis products, or packaging of such items that are
7 designed to make the product more appealing to persons under 21 years of age.

8 ~~(b)(1) Except as provided by subdivision (2) of this subsection and in~~
9 ~~section 907 of this title relating to a retailer with a medical endorsement, solid~~
10 ~~and liquid concentrate cannabis products with greater than 60 percent~~
11 ~~tetrahydrocannabinol may be produced by a licensee and sold to another~~
12 ~~licensee in accordance with subchapter 3 of this chapter but shall not be sold to~~
13 ~~the public by a licensed retailer or integrated licensee.~~

14 ~~(2) Liquid concentrate cannabis products with greater than 60 percent~~
15 ~~tetrahydrocannabinol that are prepackaged for use with battery powered~~
16 ~~devices shall be permitted to be sold to the public by a licensed retailer or~~
17 ~~integrated licensee. [Repealed.]~~

18 Sec. 3. 7 V.S.A. § 881(a)(3) is amended to read:

19 (3) Rules concerning product manufacturers shall include:

1 (A) requirements that a single package of a cannabis product shall
2 not contain more than 100 milligrams of ~~THC~~ tetrahydrocannabinol, except in
3 the case of:

4 (i) cannabis products that are not consumable, including topical
5 preparations;

6 (ii) solid concentrates, oils, and tinctures; and

7 (iii) cannabis products sold to a dispensary pursuant to 18 V.S.A.
8 chapter 86 and rules adopted pursuant to that chapter;

9 (B) requirements that cannabis products are labeled in a manner that
10 states the number of servings of tetrahydrocannabinol in the product, measured
11 in servings of a maximum of ~~five~~ 10 milligrams per serving, except:

12 (i) cannabis products that are not consumable, including topical
13 preparations; ~~and~~

14 (ii) cannabis products sold to a dispensary pursuant to ~~18 V.S.A.~~
15 ~~chapter 86~~ chapter 37 of this title and rules adopted pursuant to that chapter;

16 and

17 (iii) cannabis and cannabis products that are intended for
18 inhalation;

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20 Sec. 4. EFFECTIVE DATE

21 This act shall take effect on July 1, 2026.