

The House Committee on Agriculture and Consumer Affairs offers the following substitute to HR 368:

#### A RESOLUTION

1 Creating the House Study Committee on Intoxicating Cannabinoids in Consumable Hemp  
2 Products; and for other purposes.

3 WHEREAS, in 2018, Congress passed and the President signed into law the Agriculture  
4 Improvement Act of 2018, Public Law 115-334 (2018 Farm Bill), which authorized the  
5 production of hemp and removed hemp from the federal schedule of controlled substances;  
6 and

7 WHEREAS, through the Georgia Hemp Farming Act, approved May 10, 2019 (Ga. L. 2019,  
8 p. 1030), the General Assembly authorized the production of hemp in Georgia in accordance  
9 with the federal 2018 Farm Bill; and

10 WHEREAS, the definition of hemp in the federal 2018 Farm Bill and the Georgia Hemp  
11 Farming Act limits the amount of delta-9-tetrahydrocannabinol (delta-9-THC) that may be  
12 present in hemp, but neither Act provides limits on other isomers of delta-9-THC or other  
13 cannabinoids; and

14 WHEREAS, by an Act of the General Assembly, approved April 30, 2024 (Ga. L. 2024, p.  
15 455), the General Assembly provided regulations on the production and sale of consumable

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16 hemp products, but did not provide restrictions on isomers of delta-9-THC or other  
17 potentially intoxicating cannabinoids; and

18 WHEREAS, since passage of the 2018 Farm Bill and the Georgia Hemp Farming Act, it has  
19 been discovered that many other substances derived from the cannabis plant beyond  
20 delta-9-THC may be intoxicating and may have serious side effects. Such substances  
21 include, but are not limited to, delta-8-tetrahydrocannabinol (delta-8-THC),  
22 delta-10-tetrahydrocannabinol (delta-10-THC), delta-11-tetrahydrocannabinol  
23 (delta-11-THC), tetrahydrocannabinolic acid (THCA), exo-tetrahydrocannabinol (exo-THC),  
24 THC-O-acetate (THC-OA), THC-O-phosphate (THC-O), tetrahydrocannabiphorol (THCP),  
25 tetrahydrocannabivarin (THCV), tetrahydrocannabihexol (THCH), tetrahydrocannabioctyl  
26 (THCJD), tetrahydrocannabutol (THCB), cannabinol (CBN), and hexahydrocannabinol  
27 (HHC); and

28 WHEREAS, the lack of restrictions on such substances have led to intoxicating and  
29 potentially dangerous consumable hemp products being readily available in Georgia and  
30 consumed at alarming rates; and

31 WHEREAS, the General Assembly intends to provide restrictions on such substances and  
32 other intoxicating cannabinoids so as to protect the citizens of this state from such  
33 intoxicating and potentially dangerous substances. However, the General Assembly desires  
34 to provide those in the consumable hemp industry, government agencies, law enforcement  
35 officers, and members of the public the opportunity to provide comment on such potential  
36 restrictions before they are enacted so as to understand the need for such restrictions, how  
37 such restrictions should be implemented, and the impact such restrictions may have on the  
38 hemp industry in Georgia; and

39 WHEREAS, other intoxicating substances, such as alcohol, are subject to excise taxes in this  
40 state; and

41 WHEREAS, there is currently no excise tax imposed on the sale of consumable hemp  
42 products in this state; and

43 WHEREAS, study is needed to determine if an excise tax should be imposed on the sale of  
44 consumable hemp products in this state, particularly on the sale of consumable hemp  
45 beverages.

46 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

47 (1) **Creation of House study committee.** There is created the House Study Committee  
48 on Intoxicating Cannabinoids in Consumable Hemp Products.

49 (2) **Members and officers.** The committee shall be composed of five members of the  
50 House of Representatives to be appointed by the Speaker of the House of  
51 Representatives. The Speaker shall designate a member of the committee as chairperson  
52 of the committee.

53 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,  
54 issues, and problems mentioned above or related thereto and recommend any action or  
55 legislation which the committee deems necessary or appropriate.

56 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee  
57 may conduct such meetings at such places and at such times as it may deem necessary or  
58 convenient to enable it to exercise fully and effectively its powers, perform its duties, and  
59 accomplish the objectives and purposes of this resolution.

60 (5) **Allowances, expenses, and funding.**

61 (A) The legislative members of the committee shall receive the allowances provided  
62 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

63 (B) The allowances and expenses authorized by this resolution shall not be received  
64 by any member of the committee for more than five days unless additional days are  
65 authorized. Funds necessary to carry out the provisions of this resolution shall come  
66 from funds appropriated to the House of Representatives.

67 **(6) Report.**

68 (A) In the event the committee adopts any specific findings or recommendations that  
69 include suggestions for proposed legislation, the chairperson shall file a report of the  
70 same prior to the date of abolishment specified in this resolution, subject to  
71 subparagraph (C) of this paragraph.

72 (B) In the event the committee adopts a report that does not include suggestions for  
73 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)  
74 of this paragraph.

75 (C) No report shall be filed unless the same has been approved prior to the date of  
76 abolishment specified in this resolution by majority vote of a quorum of the committee.  
77 A report so approved shall be signed by the chairperson of the committee and filed with  
78 the Clerk of the House of Representatives.

79 (D) In the absence of an approved report, the chairperson may file with the Clerk of the  
80 House of Representatives copies of the minutes of the meetings of the committee in lieu  
81 thereof.

82 **(7) Abolishment.** The committee shall stand abolished on December 31, 2025.