



HB0108

Sale of THC vaping devices and edibles to minors-prohibited.

Sponsored By: Representative(s) Sommers, Crago, Haroldson and Heiner and Senator(s) Baldwin and Steinmetz

AN ACT relating to children; prohibiting the sale of edible products and vaping products containing tetrahydrocannabinol to persons under eighteen (18) years of age; providing definitions; specifying penalties, exceptions and affirmative defenses; making conforming amendments; and providing for an effective date.

1/11/2023 Bill Number Assigned
1/11/2023 H Received for Introduction
1/20/2023 H Introduced and Referred to H06 - Travel
2/2/2023 H06 - Travel:Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Angelos, Burkhart, Jr, Byron, Larson, Newsome, Singh, Storer, Western, Winter

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/2/2023 H Placed on General File

HB0108HS001/ADOPTED

Page 6-line 8 Delete "or".

Page 6-line 10 Delete "." and insert "; or".

Page 6-after line 10 Insert:

"(C) Any synthetic isomer that is a tetrahydrocannabinol analog."

Page 7-line 14 Delete entirely and insert:

"Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.". NEWSOME, CHAIRMAN

2/6/2023 H COW:Passed

HB0108H2001/ADOPTED

Page 6-line 10 Delete entirely including the House standing committee amendment (HB0108HS001/A) to this line.

Page 6-after line 10 Delete the House standing committee amendment (HB0108HS001/A) to this line and insert:

"(B) Psychoactive synthetic analogs of tetrahydrocannabinol; or

(C) Any psychoactive structural, optical or geometric isomers of tetrahydrocannabinol."

Page 7-after line 3 Insert:

"(ix) "Controlled substance analog" means a substance:

(A) Whose chemical structure is substantially similar to the chemical structure of a controlled substance in schedule I or II; or

(B) That has a stimulant, depressant or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II."

Page 7-line 14 Delete the standing committee amendment (HB0108HS001/A) to this line. ZWONITZER, DN

2/7/2023 H 2nd Reading:Passed

HB0108H3001/FAILED

Page 1-line 5 After "defenses;" insert "prohibiting the possession of edible products and vaping products by persons under twenty-one (21) years of age;".

Page 1-line 10 Delete "is" and insert "and 14-3-311 are".

Page 4-after line 23 Insert:

"14-3-311. Possession of edible products and vaping products by persons under age twenty-one prohibited; penalties.

(a) It is unlawful for a person under the age of twenty-one (21) years to possess or use any edible products or vaping products except for cannabidiol oil that has not more than three-tenths percent (0.3%) of tetrahydrocannabinol. No person shall be arrested for an alleged violation of this subsection but shall be issued a citation as a charging document by a peace officer having probable cause to believe the person violated this subsection. An officer issuing a citation shall deposit one (1) copy of the citation with the court having jurisdiction over the alleged offense. Bond may be posted and forfeited for an offense charged under this section in an amount equal to the fine imposed by subsection (b) of this section.

(b) Any person violating subsection (a) of this section is guilty of a misdemeanor punishable by a fine of fifty dollars (\$50.00). In lieu of the fine under this subsection, the court may allow the defendant to perform community service and be granted credit against the fine and court costs at the rate of ten dollars (\$10.00) for each hour of work performed.

(c) No conviction under subsection (b) of this section, whether by guilty plea, adjudication of guilt or forfeiture of bond shall be reported by the court to any law enforcement agency. Upon payment of the fine imposed by subsection (b) of this section, a criminal conviction under this section shall be expunged by operation of law from all records of the court nine (9) months after the entry of conviction. For any person whose record of conviction was expunged under this subsection, the conviction is deemed not to have occurred and the person may reply accordingly upon any inquiry in the matter. No expungement under this subsection shall be considered for purposes of any other law providing for expungement."

Page 5-line 11 After "14-3-310" insert "and 14-3-311".

2/8/2023 H 3rd Reading:Passed 55-5-2-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Henderson, Hornok, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Nicholas, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Ottman, Penn, Rodriguez-Williams, Sherwood, Singh, Slagle, Smith, Speaker Sommers, Stith, Storer, Strock, Styvar, Tarver, Trujillo, Walters, Washut, Winter, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Nays: Representative(s) Jennings, Olsen, Provenza, Ward, Western

Excused: Representative(s) Brown, Pendergraft

Ayes 55 Nays 5 Excused 2 Absent 0 Conflicts 0

2/9/2023 S Received for Introduction
2/9/2023 S Introduced and Referred to S10 - Labor
2/17/2023 S10 - Labor:Recommend Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Baldwin, Barlow, Bouchard, Dockstader, Hutchings

Ayes 5 Nays 0 Excused 0 Absent 0 Conflicts 0

2/17/2023 S Placed on General File

HB0108SW001/ADOPTED

(TO ENGROSSED COPY)

Page 6-line 1 Delete "or" and insert ",".

Page 6-line 2 After "(xxi)" inert "or their analogs".

Page 7-line 9 Delete "Controlled substance".

Page 7-line 14 Delete "in schedule I or II" and insert "listed under W.S. 35-7-1014(d)(xiii) or (xxi)".

Page 7-line 20 Delete "in schedule I or II" and insert "listed under W.S. 35-7-1014(d)(xiii) or (xxi)". BALDWIN

HB0108SW002/ADOPTED

(TO ENGROSSED COPY)

Page 6-line 16 After "any device" insert "containing tetrahydrocannabinol"; delete "can".

Page 6-line 17 Delete "be"; before "used to" insert "is being or has been".

Page 7-line 1 Delete "uses or". BOUCHARD

HB0108SW003/ADOPTED

(TO ENGROSSED COPY)

Page 1-line 3 Delete "twenty-one (21)" and insert "eighteen (18)".

Page 2-line 4 Delete "twenty-one (21)" and insert "eighteen (18)".

Page 4-line 16 Delete "twenty-one (21)" and insert "eighteen (18)".

Page 4-line 22 Delete "twenty-one".

Page 4-line 23

Delete "(21)"; before "years of age" insert "eighteen (18)". BOUCHARD

2/21/2023 S COW:Passed
2/22/2023 S 2nd Reading:Passed
2/23/2023 S 3rd Reading:Passed 30-1-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Case, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Nethercott, Pappas, President Driskill, Salazar, Schuler, Scott, Steinmetz

Nays: Senator Rothfuss

Ayes 30 Nays 1 Excused 0 Absent 0 Conflicts 0

2/23/2023 H Received for Concurrence
2/23/2023 H Concur:Passed 59-1-2-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Heiner, Henderson, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Nicholas, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Provenza, Rodriguez-Williams, Sherwood, Singh, Slagle, Smith, Speaker Sommers, Stith, Storer, Strock, Styvar, Tarver, Trujillo, Walters, Ward, Washut, Winter, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Nays: Representative Bear

Excused: Representative(s) Harshman, Western

Ayes 59 Nays 1 Excused 2 Absent 0 Conflicts 0

2/23/2023 Assigned Number HEA No. 0066
2/24/2023 H Speaker Signed HEA No. 0066
2/24/2023 S President Signed HEA No. 0066
2/27/2023 Governor Signed HEA No. 0066
2/27/2023 Assigned Chapter Number 99

Chapter No. 99 Session Laws of Wyoming 2023