



Legislative Council Staff

Research Note

Version: Senate Second
Reading
Date: 2/3/2017

Bill Number

Senate Bill 17-090

Sponsors

Senator Baumgardner
Representative Mitsch Bush

Short Title

***Measuring Delta-9 THC In
Industrial Hemp***

Research Analyst

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Status

The bill is currently pending before the Senate on second reading. This research note reflects the bill as amended by the Senate Agriculture, Natural Resources, and Energy Committee on February 16, 2017.

Background

In 2012, voters approved Amendment 64, which legalized the sale and use of retail (non-medical) marijuana and industrial hemp. The Colorado Constitution requires that industrial hemp contain a delta-9 tetrahydrocannabinol (THC) concentration of no more than 0.3 percent on a dry weight basis. THC is the psychoactive component of cannabis and THC-A is a biosynthetic precursor of THC. The Colorado Department of Agriculture is responsible for ensuring that the industrial hemp produced in Colorado complies with the constitutional limit of THC. The department's current testing method uses both THC and THC-A (total THC). THC-A typically represents the majority of total THC in cannabis plant material, but it is not psychoactive while in acid form. THC-A converts to THC when heated over time through a process called decarboxylation. A sample of cannabis plant material that has undergone decarboxylation will have had the THC-A converted into THC and analysis of only the THC should produce an accurate estimate of the psychoactive potential of the sample. Measuring only the THC in a sample of cannabis plant material that has not been subject to decarboxylation will understate the psychoactive potential of the material.

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Senate Action

Senate Agriculture, Natural Resources, and Energy Committee (February 2, 2017). At the hearing, representatives from the Colorado Department of Agriculture, the Colorado Laboratory Council, the Marijuana Industry Group, and hemp producers spoke in support of the bill. The committee approved Amendment L.001 that expanded the testing requirements to include certain THC precursors and substituted an effective date clause for a safety clause. The bill was referred, as amended, to the Senate Committee of the Whole.