

Sec 9.046 Restriction On Sale And Possession Of Hemp-Derived Cannabinoids

- (a) "Hemp-derived cannabinoid" constitutes one of the many intoxicating compounds found in the Cannabis sativa plant, or any current or future synthetic version thereof, referred to as hemp:
- (1) A cannabinoid other than delta-9 tetrahydrocannabinol (THC), or an isomer derived from such cannabinoid (delta-8 THC, delta-10 THC, hexahydrocannabinol (HHC), HHC-O, THC-A, THC-O, THCP, THCV); or
 - (2) A hemp-derived product containing delta-9 (THC) in a concentration of not more than 0.3 percent or less
 - (3) Does not include non-intoxicating cannabinoids, including cannabidiol (CBD), which is an active ingredient in cannabis, but does not cause intoxication by itself, is not addictive, and does not contain other isomers as listed above.
- (b) *Restrictions.*
- (1) It shall be illegal for a person under the age of 21 to possess or use any amount of any hemp-derived cannabinoid including delta-8 THC, delta-10 THC, HHC, HHC-O, THC-A, THC-O, THCP. or THCV except as specifically allowed by Wisconsin law.
 - (2) It shall be illegal to sell or deliver any hemp-derived cannabinoid product containing 8 THC, delta-10 THC, HHC, HHC-O, THC-A, THC-O, THCP. or THCV to a person under the age of 21, except as specifically allowed by Wisconsin law.
 - (3) It shall be illegal to sell or deliver any hemp-derived cannabinoid product containing 8 THC, delta-10 THC, HHC, HHC-O, THC-A, THC-O, THCP. or THCV to a person without having first verified their age by having the purchaser present a valid photo identification.
 - (4) No individual may provide hemp-derived cannabinoid products to any person under the age of 21 unless the individual is the person's parent or guardian or spouse who has attained the age of 21.
 - (5) Hemp-derived cannabinoids shall not be sold within 750 feet of a hospital, church, or youth-serving organization such as, but not limited to: childcare centers, pre-schools, public or parochial schools, tribal schools, playgrounds, city or county parks, sporting arenas, or organizations with specific interest to serve children (Boys & Girls Club, YMCA, Head Start, etc.). The distance shall be measured by the shortest route along a designated roadway or walking path from the main entrance of the youth-serving business/organization to the premises selling hemp-derived cannabinoid products.
 - a. The prohibition in this section does not apply to businesses selling hemp-derived cannabinoids prior to [date].
 - (6) *Signs and notices.*
 - a. A retailer must post a sign in areas within their premises where any hemp-derived cannabinoid is sold to consumers stating that the sale of any such to any person under the age of 21 is unlawful under this section.
 - b. A vending machine operator must attach a notice in a conspicuous place on the front of their vending machines stating that the purchase of any hemp-derived cannabinoid by any person under the age of 21 is prohibited.
 - (7) *Vending machines.*
 - a. A retailer or vending machine operator may not sell hemp-derived cannabinoid in a vending machine unless the vending machine is located in a place where the retailer or vending machine operator ensures that no person younger than 21 is present or permitted to enter unless accompanied by his or her parent or guardian or spouse who has attained the age of 21.

- b. A retailer or vending machine operator may not sell hemp-derived cannabinoid from a vending machine unless the vending machine is able to first verify the purchaser is 21 years of age or older.
- (c) *Medical or dental use allowed.* Acts otherwise prohibited under this section shall not be unlawful if done by or under the direction or prescription of a licensed physician, dentist, or other medical professional authorized to direct or prescribe such acts, provided such use is permitted under state and federal laws.
- (d) *Penalty.* The penalty provision under Section 9.25 shall apply to any violation of this section.