

—

Proposed Amendment to Senate Bill 356
Prepared by the Nevada Cannabis Association

Explanation: (1) *Blue bold italics* is new language in the original bill; (2) green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

Sec. 2. 1. “Consumable hemp product” means hemp, as defined in NRS 557.160, a commodity or product containing hemp or any other commodity or product that purports to contain cannabinoids, including cannabidiol or cannabigerol that

~~(a) Has a THC concentration that does not exceed the maximum THC concentration set forth in NRS 557.160 for hemp; and~~

~~(b) Is intended for human consumption as defined in NRS 439.532. by ingestion or inhalation or for topical application to the skin or hair of a human.~~

2. The term does not include a commodity or product that contains only an approved hemp component, as defined in NRS 446.844, and no other hemp.

Sec. 3. 1. Other than a licensed cannabis establishment, ~~A~~ no person shall ~~not~~ manufacture, process, store, distribute, advertise, market, sell or offer to sell a consumable hemp product in this State that contains any amount of a cannabinoid other than cannabidiol or cannabigerol.

2. Consumable hemp products may not contain synthetic cannabinoids as defined in NRS 678A.239.

~~with a THC concentration that exceeds the limit of detection.~~

~~2.—A person shall not sell or offer to sell a consumable hemp product with a THC concentration that does not exceed the limit of detection to a person who is under 21 years of age.~~

~~3.—A consumable hemp product must be sold in a single package that contains:~~

~~(a) A THC concentration that does not exceed the limit of detection; and~~

~~(b) Not more than five servings of a size established by the Board by regulation.~~

~~4.—A person who manufactures a consumable hemp product shall maintain and provide to the Board upon request a certificate of analysis issued by a cannabis independent testing laboratory indicating that the consumable hemp product contains a THC concentration that does not exceed the limit of detection.~~

~~5.—A person engaged in the sale of consumable hemp products shall comply with all requirements and restrictions established by the Board relating to the marketing and advertising of consumable hemp products.~~

~~6.—A consumable hemp product that exceeds the limit of detection in violation of the provisions of this section is subject to forfeiture pursuant to NRS 179.1156 to 179.121, inclusive.~~

~~7.—The Board shall adopt regulations governing consumable hemp products. Such regulations must:~~

~~(a) Establish the method of testing consumable hemp products that is required to be used by a cannabis independent testing laboratory;~~

~~(b) Establish serving sizes for consumable hemp products;~~

- ~~(e) Establish reasonable requirements for and restrictions on the marketing and advertising of consumable hemp products; and~~
- ~~(d) Provide for the investigation of violations of the provisions of this section and for the imposition of penalties against persons who commit such violations, including, without limitation, regulations that:~~
 - ~~(1) Establish penalties to be imposed for violations of the provisions of this section, which may include, without limitation, the issuance of a cease and desist order or citation and the imposition of an administrative fine, a civil penalty and other similar penalties;~~
 - ~~(2) Set forth the procedures by which the Board may impose a penalty against a person for committing a violation of the provisions of this section; and~~
 - ~~(3) Set forth the circumstances under which the Board is required to refer matters concerning a violation of the provisions of this section to an appropriate state or local law enforcement agency.~~

~~8.—As used in this section, “limit of detection” means the lowest concentration of THC that can be reliably detected using a method of testing established by the Board by regulation.~~

~~Sec. 4.—1.—All money collected by the Board pursuant to section 3 of this act as fines or penalties must be deposited in the State Treasury and accounted for separately in the State General Fund. The money in the account:~~

- ~~(a) May only be used by the Board for carrying out the purposes of section 3 of this act;~~
- ~~(b) Does not revert to the State General Fund at the end of any fiscal year; and~~
- ~~(c) Must be carried forward to the next fiscal year.~~

~~2.—The Board shall administer the account. Any interest and income earned on the money in the account, after deducting any applicable charges, must be credited to the account.~~

~~3.—All claims against the account must be paid as other claims against the State are paid.~~

Sec 4. NRS 678A.450 is hereby amended as follows:

1. The Board may adopt regulations necessary or convenient to carry out the provisions of this title. Such regulations may include, without limitation:
 - (a) Financial requirements for licensees.
 - (b) Establishing such education, outreach, investigative and enforcement mechanisms as the Board deems necessary to ensure the compliance of a licensee or registrant with the provisions of this title. Such mechanisms must include, without limitation:
 - (1) A system to educate, train and certify employees of the Board which:
 - (I) Each employee must complete before he or she may engage in inspections, investigations or audits; and
 - (II) At a minimum, includes training that is the same or substantially similar to any training that is required by the Board by regulation to be completed by a cannabis establishment agent before he or she may be employed by, volunteer at or provide labor to a cannabis establishment;
 - (2) A system to educate and advise licensees and registrants on compliance with the provisions of this title which may serve as an alternative to disciplinary action; and
 - (3) Establishing specific grounds for disciplinary action against a licensee or registrant who knowingly violates the law or engages in grossly negligent, unlawful or criminal conduct or an act or omission that poses an imminent threat to the health or safety of the public.
 - (c) Requirements for licensees or registrants relating to the cultivation, processing, manufacture, transport, distribution, testing, study, advertising and sale of cannabis and cannabis products.

(d) Policies and procedures to ensure that the cannabis industry in this State is economically competitive, inclusive of racial minorities, women and persons and communities that have been adversely affected by cannabis prohibition and accessible to persons of low-income seeking to start a business.

(e) Policies and procedures relating to the disclosure of the identities of the shareholders and the annual report of a cannabis establishment that is a publicly traded company.

(f) Reasonable restrictions on the signage, marketing, display and advertising of cannabis establishments. Such a restriction must not require a cannabis establishment to obtain the approval of the Board before using a logo, sign or advertisement.

(g) Provisions governing the sales of products and commodities made from hemp, as defined in [NRS 557.160](#), or containing cannabidiol by cannabis establishments.

(h) Requirements relating to the packaging and labeling of cannabis and cannabis products.

2. The Board shall adopt regulations providing for the gathering and maintenance of comprehensive demographic information, including, without limitation, information regarding race, ethnicity, age and gender, concerning each:

(a) Owner and manager of a cannabis establishment.

(b) Holder of a cannabis establishment agent registration card.

3. The Board shall adopt regulations providing for the investigation of unlicensed cannabis activities and the imposition of penalties against persons who engage in such activities. Such regulations must, without limitation:

(a) Establish penalties to be imposed for unlicensed cannabis activities, which may include, without limitation, the issuance of a cease and desist order or citation, the imposition of an administrative fine or civil penalty and other similar penalties.

(b) Set forth the procedures by which the Board may impose a penalty against a person for engaging in unlicensed cannabis activities.

(c) Set forth the circumstances under which the Board is required to refer matters concerning unlicensed cannabis activities to an appropriate state or local law enforcement agency.

4. The Board shall transmit the information gathered and maintained pursuant to subsection 2 to the Director of the Legislative Counsel Bureau for transmission to the Legislature on or before January 1 of each odd-numbered year.

5. The Board shall, by regulation, establish a pilot program for identifying opportunities for an emerging small cannabis business to participate in the cannabis industry. As used in this subsection, “emerging small cannabis business” means a cannabis-related business that:

(a) Is in existence, operational and operated for a profit;

(b) Maintains its principal place of business in this State; and

(c) Satisfies requirements for the number of employees and annual gross revenue established by the Board by regulation.

6. The Board may adopt regulations providing for the registration of consumable hemp products, investigation of activities in violation of this act, and the imposition of penalties against persons who engage in such activities. Such regulations may, without limitation:

(a) Establish a program to require manufacturers of consumable hemp products, before selling the product to a retailer, to submit an application for the consumable hemp product to the Board and receive approval that the product is compliant and may be offered for sale in this state, and set an application fee to be paid by a manufacturer applying to register.

(b) Set forth the procedures by which the Board may impose a penalty against a person for engaging in activities in violation of this Act.

(c) Set forth the circumstances under which the Board may refer matters concerning activities in violation of this act to an appropriate state or local law enforcement agency.

7. If the Board has cause to believe that a person has engaged in or is engaging in activities in violation of this act, the Board may issue a summons to require any person to appear before the Board at the time and place set forth in the summons and a subpoena to require the testimony

of any person or the production of documents. The Board may administer an oath or affirmation to any person providing testimony pursuant to such a subpoena. A summons or subpoena issued pursuant to this subsection must be served upon a person in the manner required for service of process in this State or by certified mail with return receipt requested. An employee of the Board may personally serve such a summons or subpoena. The Board may use any documents, records or material produced pursuant to a subpoena issued pursuant to this subsection in the course of an action or proceeding brought by the Board.

Sec. 5. NRS 678A.010 is hereby amended to read as follows:
678A.010 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 678A.020 to 678A.240, inclusive, *and section 2 of this act* have the meanings ascribed to them in those sections.

Sec. 6. NRS 678A.440 is hereby amended to read as follows:
678A.440 In addition to any other powers granted by this title, the Board has the power to:

1. Enter into interlocal agreements pursuant to NRS 277.080 to 277.180, inclusive.

2. Establish and amend a plan of organization for the Board, including, without limitation, organizations of divisions or sections with leaders for such divisions or sections.

3. Appear on its own behalf before governmental agencies of the State or any of its political subdivisions.

4. Apply for and accept any gift, donation, bequest, grant or other source of money to carry out the provisions of this title.

5. Execute all instruments necessary or convenient for carrying out the provisions of this title.

6. Prepare, publish and distribute such studies, reports, bulletins and other materials as the Board deems appropriate.

7. Refer cases to the Attorney General for criminal prosecution.

8. Maintain an official Internet website for the Board.

9. Monitor federal activity regarding cannabis and report its findings to the Legislature.

10. Employ the services of such persons the Board considers necessary for the purposes of hearing disciplinary proceedings.

11. In accordance with NRS 179.1156 to 179.121, inclusive, seize and destroy cannabis and cannabis products involved in unlicensed cannabis activities.

~~13.~~ 12. Commit resources and take action to address unlicensed cannabis activities, including, without limitation:

(a) Investigating and referring matters involving unlicensed cannabis activities to the appropriate state or local law enforcement agency, including, without limitation, the Investigation Division of the Department of Public Safety and the Attorney General, for further investigation and possible criminal prosecution;

(b) Educating the public through various types of media and communication and other forms of public outreach on the dangers and illegality of unlicensed cannabis activities and the importance of having cannabis establishments which are licensed and regulated;

(c) Creating a system through which the public, licensees and registrants may file confidential reports of unlicensed cannabis activities; and

(d) Imposing penalties against persons who engage in unlicensed cannabis activities in accordance with the regulations

adopted by the Board pursuant to NRS 678A.450.

~~14.~~ **13.** *Commit resources, to the extent that money is available, and take action to address violations of*

~~section 3 of this act, including, without limitation:~~

(a) Investigating and referring matters involving a violation of section 3 of this act to the appropriate state or local law enforcement agency, including, without limitation, local business licensing departments, the Investigation Division of the Department of Public Safety, and the Attorney General, for further investigation and possible ~~criminal~~ prosecution; and

~~(b) Imposing penalties against persons who commit violations of section 3 of this act in accordance with the regulations adopted by the Board pursuant to section 3 of this act.~~

Sec. 7. NRS 678B.290 is hereby amended to read as follows:

678B.290 1. The Board shall establish standards for and certify one or more cannabis independent testing laboratories to:

(a) Test cannabis for adult use and adult-use cannabis products that are to be sold in this State;

(b) Test cannabis for medical use and medical cannabis products that are to be sold in this State; and

(c) In addition to the testing described in paragraph (a) or (b), test *consumable hemp products and other* commodities or products containing hemp, as defined in NRS 557.160, or cannabidiol which are intended for human or animal consumption and sold by a cannabis establishment , [or] a person described in NRS 446.844 [.] ~~or another person.~~

2. Such a cannabis independent testing laboratory must be able to:

(a) Determine accurately, with respect to cannabis or cannabis products that are sold or will be sold at cannabis sales facilities in this State:

(1) The concentration therein of THC and cannabidiol.

(2) The presence and identification of microbes, molds and fungi.

(3) The composition of the tested material.

(4) The presence of chemicals in the tested material, including, without limitation, pesticides, heavy metals, herbicides or growth regulators.

(b) Demonstrate the validity and accuracy of the methods used by the cannabis independent testing laboratory to test cannabis and cannabis products.

3. To obtain a license to operate a cannabis independent testing laboratory, an applicant must:

(a) Apply successfully as required pursuant to NRS 678B.210 or 678B.250, as applicable.

(b) Pay the fees required pursuant to NRS 678B.390.

(c) Agree to become accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization within 1 year after licensure by an impartial organization that operates in accordance with standard ISO/IEC 17011 of the International Organization for Standardization and is a signatory to the Mutual

Recognition Arrangement of the International Laboratory Accreditation Cooperation.

Sec. 8. NRS 678B.520 is hereby amended to read as follows:

678B.520 1. Each cannabis establishment shall, in

consultation with the Board, cooperate to ensure that all cannabis products offered for sale:

- (a) Are labeled clearly and unambiguously:
 - (1) As cannabis with the words “THIS PRODUCT CONTAINS CANNABIS” in bold type; and
 - (2) As required by the provisions of this chapter and chapters 678C and 678D of NRS.
 - (b) Are not presented in packaging that contains an image of a cartoon character, mascot, action figure, balloon or toy, except that such an item may appear in the logo of the cannabis production facility which produced the product.
 - (c) Are regulated and sold on the basis of the concentration of THC in the products and not by weight.
 - (d) Are packaged and labeled in such a manner as to allow tracking by way of an inventory control system.
 - (e) Are not packaged and labeled in a manner which is modeled after a brand of products primarily consumed by or marketed to children.
 - (f) Are labeled in a manner which indicates the amount of THC in the product, measured in milligrams, and includes a statement that the product contains cannabis and its potency was tested with an allowable variance of the amount determined by the Board by regulation.
 - (g) Are not labeled or marketed as candy.
 - (h) Are labeled with:
 - (1) The words “Keep out of reach of children”;
 - (2) A list of all ingredients used in the cannabis product;
 - (3) A list of all major food allergens in the cannabis product;
- and
- (4) Any other information the Board may require by regulation.

2. A cannabis production facility shall not produce cannabis products in any form that:

- (a) Is or appears to be a lollipop.
- (b) Bears the likeness or contains characteristics of a real or fictional person, animal or fruit, including, without limitation, a caricature, cartoon or artistic rendering.
- (c) Is modeled after a brand of products primarily consumed by or marketed to children.

(d) Is made by applying concentrated cannabis, as defined in NRS 453.042, to a commercially available candy or snack food item other than dried fruit, nuts or granola.

3. A cannabis production facility shall:

- (a) Seal any cannabis product that consists of cookies or brownies in a bag or other container which is not transparent.
- (b) Maintain a hand washing area with hot water, soap and disposable towels which is located away from any area in which cannabis products are cooked or otherwise prepared.
- (c) Require each person who handles cannabis products to restrain his or her hair, wear clean clothing and keep his or her fingernails neatly trimmed.
- (d) Package all cannabis products produced by the cannabis production facility on the premises of the cannabis production facility.

4. A cannabis establishment shall not engage in advertising that in any way makes cannabis or cannabis products appeal to children, including, without limitation, advertising which uses an image of a cartoon character, mascot, action figure, balloon, fruit or toy.

5. Each cannabis sales facility shall offer for sale containers for the storage of cannabis and cannabis products which lock and are designed to prohibit children from unlocking and opening the container.

6. A cannabis sales facility shall:

(a) Convey to each purchaser of cannabis or cannabis products the following information in a manner prescribed by the Board:

(1) To keep cannabis and cannabis products out of the reach of children;

(2) That cannabis products can cause severe illness in children;

(3) That allowing children to ingest cannabis or cannabis products or storing cannabis or cannabis products in a location which is accessible to children may result in an investigation by an agency which provides child welfare services or criminal prosecution for child abuse or neglect;

(4) That the intoxicating effects of edible cannabis products may be delayed by 2 hours or more and users of edible cannabis products should initially ingest a small amount of the product, then wait at least 120 minutes before ingesting any additional amount of the product;

(5) That pregnant women should consult with a physician before ingesting cannabis or cannabis products;

(6) That ingesting cannabis or cannabis products with

alcohol or other drugs, including prescription medication, may result in unpredictable levels of impairment and that a person should consult with a physician before doing so;

(7) That cannabis or cannabis products can impair concentration, coordination and judgment and a person should not operate a motor vehicle while under the influence of cannabis or cannabis products; and

(8) That ingestion of any amount of cannabis or cannabis products before driving may result in criminal prosecution for driving under the influence.

(b) Enclose all cannabis and cannabis products in opaque, child-resistant packaging upon sale.

7. A cannabis sales facility shall allow any person who is at least 21 years of age to enter the premises of the cannabis sales facility.

8. If the health authority, as defined in NRS 446.050, where a cannabis production facility, cannabis sales facility or cannabis consumption lounge which sells edible cannabis products is located requires persons who handle food at a food establishment to obtain certification, the cannabis production facility, cannabis sales facility or cannabis consumption lounge shall ensure that at least one employee maintains such certification.

9. A cannabis production facility may, *subject to the provisions of section 3 of this act, produce and* sell a *consumable hemp product or other* commodity or product made using hemp, as defined in NRS 557.160, or containing cannabidiol to a cannabis sales facility.

10. In addition to any other product authorized by the provisions of this title, a cannabis sales facility may, *subject to the provisions of section 3 of this act*, sell:

(a) ~~[Any]~~ *A consumable hemp product or any other* commodity or product made using hemp, as defined in NRS 557.160;

~~(b) Any commodity or product containing cannabidiol with a THC concentration of not more than 0.3 percent; and~~

~~(e) Any~~ other product specified by regulation of the Board.

(b) Any consumable hemp product offered for sale to a consumer by a cannabis sales facility may not contain more than 10 milligrams of THC per serving, within a variance of 15 percent of the potency allowable.

(c) Package sizes may not exceed those set forth in NRS 678D.420.

11. A cannabis establishment:

(a) Shall not engage in advertising which contains any statement or illustration that:

(1) Is false or misleading;

(2) Promotes overconsumption of cannabis or cannabis products;

(3) Depicts the actual consumption of cannabis or cannabis products; or

(4) Depicts a child or other person who is less than 21 years of age consuming cannabis or cannabis products or objects suggesting the presence of a child, including, without limitation,

toys, characters or cartoons, or contains any other depiction which is designed in any manner to be appealing to or encourage consumption of cannabis or cannabis products by a person who is less than 21 years of age.

(b) Shall not advertise in any publication or on radio, television or any other medium if 30 percent or more of the audience of that medium is reasonably expected to be persons who are less than 21 years of age.

(c) Shall not place an advertisement:

(1) Within 1,000 feet of a public or private school, playground, public park or library, but may maintain such an advertisement if it was initially placed before the school, playground, public park or library was located within 1,000 feet of the location of the advertisement;

(2) On or inside of a motor vehicle used for public transportation or any shelter for public transportation;

(3) At a sports event to which persons who are less than 21 years of age are allowed entry; or

(4) At an entertainment event if it is reasonably estimated that 30 percent or more of the persons who will attend that event are less than 21 years of age.

(d) Shall not advertise or offer any cannabis or cannabis product as “free” or “donated” without a purchase.

(e) Shall ensure that all advertising by the cannabis establishment contains such warnings as may be prescribed by the Board, which must include, without limitation, the following words:

(1) “Keep out of reach of children”; and

(2) “For use only by adults 21 years of age and older.”

(f) Shall ensure that all advertising by the cannabis establishment contains:

(1) The name of the cannabis establishment; and

(2) Except as otherwise provided in subsection 12, the adult-use cannabis establishment license number or medical cannabis establishment license number of the cannabis establishment or any other unique identifier assigned to the cannabis establishment by the Board.

12. A cannabis establishment that holds more than one license may satisfy the requirement set forth in subparagraph (2) of paragraph (f) of subsection 11 if the cannabis establishment includes in all advertising conducted by the cannabis establishment:

(a) Any one of the adult-use cannabis establishment license numbers or medical cannabis establishment license numbers of the cannabis establishment; or

(b) Any one unique identifier assigned to the cannabis

establishment by the Board.

13. Nothing in subsection 11 shall be construed to prohibit a local government, pursuant to chapter 244, 268 or 278 of NRS, from adopting an ordinance for the regulation of advertising relating to cannabis which is more restrictive than the provisions of subsection 11 relating to:

(a) The number, location and size of signs, including, without limitation, any signs carried or displayed by a natural person;

(b) Handbills, pamphlets, cards or other types of advertisements that are distributed, excluding an advertisement placed in a newspaper of general circulation, trade publication or other form of print media;

(c) Any stationary or moving display that is located on or near the premises of a cannabis establishment; and

(d) The content of any advertisement used by a cannabis establishment if the ordinance sets forth specific prohibited content for such an advertisement.

14. If a cannabis establishment engages in advertising for which it is required to determine the percentage of persons who are less than 21 years of age and who may reasonably be expected to view or hear the advertisement, the cannabis establishment shall maintain documentation for not less than 5 years after the date on which the advertisement is first broadcasted, published or otherwise displayed that demonstrates the manner in which the cannabis establishment determined the reasonably expected age of the audience for that advertisement.

15. To the extent that they are inconsistent or otherwise conflict with the regulations adopted by the Board pursuant to NRS 678D.480, the requirements of this section pertaining to cannabis products do not apply to ready-to-consume cannabis products prepared and sold by a cannabis consumption lounge.

16. In addition to any other penalties provided for by law, the Board may impose a civil penalty upon a cannabis establishment that violates the provisions of subsection 11 or 14 as follows:

(a) For the first violation in the immediately preceding 2 years, a civil penalty not to exceed \$1,250.

(b) For the second violation in the immediately preceding 2 years, a civil penalty not to exceed \$2,500.

(c) For the third violation in the immediately preceding 2 years, a civil penalty not to exceed \$5,000.

(d) For the fourth violation in the immediately preceding 2

years, a civil penalty not to exceed \$10,000.

17. As used in this section, “motor vehicle used for public transportation” does not include a taxicab, as defined in

NRS 706.124.

Sec. 9. NRS 678B.650 is hereby amended to read as follows:

678B.650 The Board shall adopt such regulations as it determines to be necessary or advisable to carry out the provisions of this chapter. Such regulations are in addition to any requirements set forth in statute and must, without limitation:

1. Prescribe the form and any additional required content of applications for licenses or registration cards issued pursuant to this chapter;

2. Establish procedures for the suspension or revocation of a license or registration card or other disciplinary action to be taken against a licensee or registrant;

3. Set forth rules pertaining to the safe and healthful operation of cannabis establishments, including, without limitation:

(a) The manner of protecting against diversion and theft without imposing an undue burden on cannabis establishments or compromising the confidentiality of consumers and holders of registry identification cards and letters of approval, as those terms are defined in NRS 678C.080 and 678C.070, respectively;

(b) Minimum requirements for the oversight of cannabis establishments;

(c) Minimum requirements for the keeping of records by cannabis establishments;

(d) Provisions for the security of cannabis establishments, including, without limitation, requirements for the protection by a fully operational security alarm system of each cannabis establishment; and

(e) Procedures pursuant to which cannabis establishments must use the services of cannabis independent testing laboratories to ensure that any cannabis or cannabis product, *consumable hemp product* or *other* commodity or product made from hemp, as defined in NRS 557.160, sold by a cannabis sales facility to an end user is tested for content, quality and potency in accordance with standards established by the Board;

4. Establish circumstances and procedures pursuant to which the maximum fees set forth in NRS 678B.390 may be reduced over time to ensure that the fees imposed pursuant to NRS 678B.390 are, insofar as may be practicable, revenue neutral;

5. Establish different categories of cannabis establishment agent registration cards, including, without limitation, criteria for issuance of a cannabis establishment agent registration card for a cannabis executive and a cannabis establishment agent registration card for a cannabis receiver and criteria for training and certification, for each of the different types of cannabis establishments at which such an agent may be employed or

volunteer or provide labor as a cannabis establishment agent;

6. As far as possible while maintaining accountability, protect the identity and personal identifying information of each person who receives, facilitates or delivers services in accordance with this

chapter;

7. Establish procedures and requirements to enable a dual licensee to operate a medical cannabis establishment and an adult-use cannabis establishment at the same location;

8. Determine whether any provision of this chapter or chapter 678C or 678D of NRS would make the operation of a cannabis establishment by a dual licensee unreasonably impracticable;

9. Allow for any record relating to the delivery of cannabis or cannabis products that is required to be kept by a cannabis establishment to be created and maintained in an electronic format;

10. Prescribe the manner in which the Board will determine whether a person who holds an adult-use cannabis establishment license is ineligible to hold additional licenses pursuant to NRS 678B.325 and 678B.328;

11. Set forth rules pertaining to the safe and healthful operation of cannabis consumption lounges, including, without limitation:

(a) Standards for the air quality in a cannabis consumption lounge;

(b) Procedures and requirements for the collection and disposal of cannabis and cannabis products which are left at a cannabis consumption lounge; and

(c) Requirements for the training of employees of a cannabis consumption lounge in the sale and safe consumption of single-use cannabis products and ready-to-consume cannabis products; and

12. Address such other matters as the Board deems necessary to carry out the provisions of this title.

Sec. 10. NRS 678C.410 is hereby amended to read as follows:

678C.410 1. A medical cannabis establishment is prohibited from acquiring, possessing, cultivating, manufacturing, delivering, transferring, transporting, supplying or dispensing cannabis for any purpose except to:

(a) Directly or indirectly assist patients who possess valid registry identification cards;

(b) Assist patients who possess valid registry identification cards or letters of approval by way of those patients' designated primary caregivers; and

(c) Return for a refund cannabis, medical edible cannabis products or medical cannabis-infused products to the medical cannabis establishment from which the cannabis, medical edible cannabis products or medical cannabis-infused products were acquired.

For the purposes of this subsection, a person shall be deemed to be a patient who possesses a valid registry identification card or letter of approval if he or she qualifies for nonresident reciprocity pursuant to NRS 678C.470.

2. A medical cannabis dispensary and a medical cultivation facility may acquire usable cannabis or cannabis plants from a person who holds a valid registry identification card, including, without limitation, a designated primary caregiver. Except as otherwise provided in this subsection, the patient or caregiver, as applicable, must receive no compensation for the cannabis. A patient who holds a valid registry identification card, and the designated primary caregiver of such a patient, or the designated primary caregiver of a person who holds a letter of approval may sell usable cannabis to a medical cannabis dispensary one time and may sell cannabis plants to a cultivation facility one time.

3. A medical cannabis production facility and a medical cannabis dispensary may acquire hemp, as defined in NRS 557.160, or a commodity or product made using such hemp from a grower or handler registered by the State Department of Agriculture pursuant to chapter 557 of NRS. A medical cannabis production facility may use hemp or a commodity or product made using such hemp to manufacture medical cannabis products. A medical cannabis dispensary may, *subject to the provisions of section 3 of this act*, dispense hemp or a commodity or product made using such hemp and medical edible cannabis products and medical cannabis-infused products manufactured using hemp or a commodity or product made using such hemp.

4. A dual licensee:

(a) Shall comply with the regulations adopted by the Board pursuant to subsection 7 of NRS 678B.650 with respect to the medical cannabis establishment operated by the dual licensee; and

(b) May, to the extent authorized by such regulations, combine the location or operations of the medical cannabis establishment operated by the dual licensee with the adult-use cannabis establishment operated by the dual licensee.

5. If a medical cannabis establishment is operated by a dual licensee, any provision of this section which is determined by the Board to be unreasonably impracticable pursuant to subsection 8 of NRS 678B.650 does not apply to the medical cannabis establishment.

Sec. 11. NRS 179.1164 is hereby amended to read as follows:
179.1164 1. Except as otherwise provided in subsection 2,

the following property is subject to seizure and forfeiture in a proceeding for forfeiture:

(a) Any proceeds attributable to the commission or attempted commission of any felony.

(b) Any property or proceeds otherwise subject to forfeiture pursuant to NRS 179.121, 200.760, 202.257, 370.419, 453.301 or 501.3857 ~~H~~ or section 3 of this act.

2. Property may not, to the extent of the interest of any claimant, be declared forfeited by reason of an act or omission shown to have been committed or omitted without the knowledge, consent or willful blindness of the claimant.

3. Unless the owner of real property or a mobile home:

(a) Has given the tenant notice to surrender the premises pursuant to NRS 40.254 within 90 days after the owner receives notice of a conviction pursuant to subsection 2 of NRS 453.305; or

(b) Shows the court that the owner had good cause not to evict the tenant summarily pursuant to NRS 40.254,

➔ the owner of real property or a mobile home used or intended for use by a tenant to facilitate any violation of the provisions of NRS 453.011 to 453.552, inclusive, except NRS 453.336, is disputably presumed to have known of and consented to that use if the notices required by NRS 453.305 have been given in connection with another such violation relating to the property or mobile home. The holder of a lien or encumbrance on the property or mobile home is disputably presumed to have acquired an interest in the property for fair value and without knowledge or consent to such use, regardless of when the act giving rise to the forfeiture occurred.

Sec. 12. ~~NRS 439.532 is hereby amended to read as follows:~~

~~439.532 1. [Unless] In addition to any applicable requirements set forth in section 3 of this act, and unless federal law or regulation otherwise requires, a person shall not sell or offer to sell any consumable hemp product, any other commodity or product containing hemp which is intended for human consumption or any other commodity or product that purports to contain cannabidiol with a THC concentration that does not exceed the maximum THC concentration [established by federal law] set forth in NRS 557.160 for hemp unless such a commodity or product:~~

~~(a) Has been tested by [an] a cannabis independent testing laboratory and meets the standards established by regulation of the Department pursuant to subsection 3; and~~

~~(b) Is labeled in accordance with the regulations adopted by the~~

~~Department pursuant to subsection 3.~~

~~2.— A person who produces or offers for sale a commodity or product described in subsection 1 may submit such a commodity or product to a cannabis independent testing laboratory for testing pursuant to this section and a cannabis independent testing laboratory may perform such testing.~~

~~3.— The Department shall adopt regulations requiring the testing and labeling of any commodity or product described in subsection 1.~~

~~Such regulations must:~~

~~(a) Set forth protocols and procedures for the testing of the commodities and products described in subsection 1;~~

~~(b) Identify contaminants of the commodities and products described in subsection 1 which are foods that contain an approved hemp component, as defined in NRS 446.844, and prescribe tolerances for such contaminants; and~~

~~(c) Require that any commodity or product described in subsection 1 is labeled in a manner that is not false or misleading in accordance with the applicable provisions of chapters 446 and 585 of NRS.~~

~~4.— The provisions of this section do not apply to a cannabis establishment, as defined in NRS 678A.095.~~

~~5.— As used in this section:~~

~~(a) “Cannabis independent testing laboratory” has the meaning ascribed to it in NRS 678A.115.~~

~~(b) “Consumable hemp product” has the meaning ascribed to it in section 2 of this act.~~

~~(c) “Food” has the meaning ascribed to it in NRS 446.017.~~

~~[(c)] (d) “Hemp” has the meaning ascribed to it in NRS 557.160.~~

~~[(d)] (e) “Intended for human consumption” means intended for ingestion or inhalation by a human or for topical application to the skin or hair of a human.~~

~~[(e)] (f) “THC” has the meaning ascribed to it in NRS 453.139.~~

Sec. 13. NRS 453.096 is hereby amended to read as follows:
453.096 1. “Marijuana” means:

(a) All parts of any plant of the genus Cannabis, whether growing or not;

(b) The resin extracted from any part of the plant, including concentrated cannabis;

(c) Every compound, manufacture, salt, derivative, mixture or preparation of the plant, or its resin;

(d) Any commodity or product made using hemp which exceeds the maximum THC concentration [established by the State Department of Agriculture] ~~set forth in NRS 557.160~~ for hemp; and

(e) Any product or commodity made from hemp which is manufactured or sold by a cannabis establishment which violates any regulation adopted by the Cannabis Compliance Board pursuant to paragraph (g) of subsection 1 of NRS 678A.450 relating to THC concentration.

2. “Marijuana” does not include:

(a) Hemp, as defined in NRS 557.160, which is grown or cultivated pursuant to the provisions of chapter 557 of NRS;

(b) The mature stalks of the plant and root balls which have been fully separated from the stalks of the plant after harvest, fiber produced from the stalks, seeds of the plant, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake; or

(c) Any commodity or product made using hemp, as defined in NRS 557.160, which does not exceed the maximum THC concentration [established by the State Department of Agriculture] ~~set forth in NRS 557.160~~ for hemp.

Sec. 14. NRS 557.160 is hereby amended to read as follows:

557.160 1. “Hemp” means any plant of the genus *Cannabis sativa* L. and any part of such a plant, including, without limitation, the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts and salts of isomers, whether growing or not, with a THC concentration that does not exceed the maximum THC concentration established by the Department for hemp. 0.3 percent on a dry weight basis, as measured using post-decarboxylation or another similarly reliable testing method.

2. “Hemp” does not include any commodity or product made using hemp.

Sec. 15. NRS 557.240 is hereby amended to read as follows:

557.240 1. A grower or handler shall keep and maintain for a period of not less than 3 years such records as the Department may prescribe by regulation and, upon 3 days’ notice, make such records available to the Department for inspection during normal business hours. The Department may inspect records pursuant to this subsection to determine whether a person has complied with the provisions of this chapter, the regulations adopted pursuant thereto and any lawful order of the Department.

2. The Department may inspect any growing crop of a grower

and take a representative sample for analysis in the field. If the testing of such a sample in the field determines that the crop contains a THC concentration that exceeds the maximum THC concentration ~~set forth in NRS 557.160~~ established by the Department, the grower shall submit a plan for the effective disposal or remediation of the crop to the Department for its approval.

3. If a crop has been determined pursuant to subsection 2 to contain a THC concentration that exceeds the maximum THC concentration ~~set forth in NRS 557.160~~ established by the Department for hemp, the grower of the crop may elect to perform remediation activities to render the crop compliant. After a grower performs remediation activities pursuant to a plan for the effective remediation of a crop approved pursuant to subsection 2, an additional inspection, sampling and testing of the crop must be conducted to determine the THC concentration of the crop.

4. If a grower fails to submit an approved plan to the Department pursuant to subsection 2 or fails to follow the provisions of such a plan, or if a crop continues to contain a THC concentration that exceeds the maximum THC concentration ~~set forth in NRS 557.160~~ established by the Department for hemp after remediation pursuant to subsection 3, the Department may:

- (a) Impose any additional requirement it determines necessary upon the grower;
- (b) Suspend or revoke the registration of the grower;
- (c) Impose an administrative fine pursuant to NRS 557.280 on the grower;
- (d) Report the grower to the appropriate local law enforcement agency for investigation of a violation of the provisions of chapter 453 of NRS; or
- (e) Detain, seize or embargo the crop.

5. If the Department determines that the land or crop management practices of a grower, handler or producer are inadequate, inconsistent with the information concerning such practices submitted to the Department pursuant to NRS 557.200 or negatively affect natural resources, the Department may impose an administrative fine pursuant to NRS 557.280.

Sec. 16. NRS 557.260 is hereby amended to read as follows:

557.260 1. The Department may adopt regulations necessary to:

- (a) Establish quality standards and requirements for the packaging and labeling of agricultural hemp seed;
- (b) Provide for the certification and registration of sites used for

growing, producing or handling hemp; and

(c) Comply with any requirement imposed by the United States Department of Agriculture, including, without limitation, any requirement related to reporting information regarding growers, handlers and producers.

2. [The Department shall adopt regulations establishing the maximum THC concentration for hemp.]

3.] A producer shall comply with:

(a) Any regulation adopted by the Department pursuant to subsection 1 ; [or 2;] and

(b) The provisions of NRS 587.015 to 587.123, inclusive, and any regulations adopted pursuant thereto.

[4.] 3.—Any agricultural hemp seed which is obtained by a grower and was produced:

(a) In this State must be produced by a producer; and

(b) In another state must be produced by a person who is registered and approved to produce and sell agricultural hemp seed pursuant to the laws of that state.

[5.] 4. The Department shall provide adequate information to growers to identify producers from which a grower may purchase agricultural hemp seed.

[6.] 5.— A handler may only obtain hemp from a grower and agricultural hemp seed for cleaning and future propagation from a producer.

Sec. 17. NRS 557.270 is hereby amended to read as follows:

557.270 1. A grower, handler or producer may submit hemp or a commodity or product made using hemp, other than a commodity or product described in subsection 1 of NRS 439.532, to a cannabis independent testing laboratory for testing pursuant to this section and a cannabis independent testing laboratory may perform such testing.

2. Before the harvest of any crop, the Department shall collect a sample of the crop. A grower or producer must harvest a crop in a timely manner after the collection of such a sample and within the period of time prescribed in the regulations promulgated by the Secretary of Agriculture of the United States pursuant to 7 U.S.C. § 1639r. A grower or producer who does not harvest a crop within that period of time shall not harvest the crop before the Department has collected a new sample of the crop.

3. The Department or a cannabis independent testing laboratory approved by the Department shall test each sample collected pursuant to subsection 2 to determine whether the crop has a THC

concentration that exceeds the maximum THC concentration ~~[established by the Department] set forth in NRS 557.160~~ for hemp. The Department may adopt regulations relating to such testing which include, without limitation:

(a) Protocols and procedures for the testing of a crop, including, without limitation, determining appropriate standards for sampling and for the size of batches for testing; and

(b) A requirement that a cannabis independent testing laboratory provide the results of the testing directly to the Department in a manner prescribed by the Department.

4. When the Department has obtained the results of the testing required by subsection 3, the Department shall issue to the grower or producer of the crop a report of the results of the testing which must include, without limitation, the THC concentration of the crop.

5. A crop which is harvested before a sample has been collected by the Department pursuant to subsection 2 shall be deemed to have failed the testing required by subsection 3 and may be detained, seized or embargoed by the Department. The Department shall not renew the registration of a grower or producer who harvests a crop before a sample has been collected by the Department pursuant to subsection 2.

6. Except as otherwise provided in subsection 5 and by federal law, a grower or producer whose crop fails a test prescribed by the Department pursuant to this section may request that the Department collect a new sample of that same crop for retesting. The Department shall adopt regulations establishing protocols and procedures for such retesting.

7. As used in this section, "cannabis independent testing laboratory" has the meaning ascribed to it in NRS 678A.115.

Sec. 18. NRS 638.135 is hereby amended to read as follows:

638.135 1. A licensed veterinarian may:

(a) Administer to an animal a product containing hemp or CBD if the product:

(1) Does not contain cannabinoids other than cannabidiol or cannabigerol; and

~~Has a THC concentration of not more than [0.3 percent on a dry weight basis;] the maximum THC concentration set forth in NRS 557.160 for hemp; and~~

(2) Is intended for use or consumption through means other than inhalation to treat a condition of the animal; and

(b) Recommend to the owner of an animal the use of such a product to treat a condition of the animal.

2. The Board shall not take any disciplinary action against a

—
licensed veterinarian or the facility in which the licensed veterinarian engages in the practice of veterinary medicine solely for administering or recommending the use of products pursuant to subsection 1.

3. As used in this section:

- (a) “Administer” has the meaning ascribed to it in NRS 453.021.
- (b) “CBD” has the meaning ascribed to it in NRS 453.033.
- (c) “Hemp” has the meaning ascribed to it in NRS 557.160.
- (d) “THC” has the meaning ascribed to it in NRS 453.139.

Sec. 19. Any county, city, or municipality in the State of Nevada may enforce the provisions of this Act by adopting ordinances that create penalties, including but not limited to fines, for the unlawful sale of consumable hemp products in violation of this Act.

Sec. 20. Testing.

1. Before a hemp plant is processed or otherwise used in the manufacture of a consumable hemp product, a representative sample must be tested to determine:

(a) the concentration and identity of the cannabinoids in the plant; and

(b) the presence or quantity of heavy metals, pesticides, microbial contamination, and any other substance prescribed by the Board.

2. Before a consumable hemp product is sold at retail or otherwise introduced into commerce in this state, a representative sample must be tested to determine:

(a) the identity and concentration of any cannabinoids contained in the product.

(b) that the product does not contain a substance described by Subsection (1)(b) that exceeds the quantity allowed by the Board.

(c) This testing must be conducted on a representative sample of the consumable hemp product in its final product form.

3. In addition to the testing requirements described above, the testing requirements of this section apply to all raw hemp material intended for human consumption as defined in NRS 439.532.

4. Testing must be conducted by a laboratory that is:

(a) An Independent Testing Laboratory which is licensed by the Board if produced within this State; or

(b) Accredited by an accreditation body in accordance with International Organization for Standardization ISO 17025 and AOAC accreditation guidelines for laboratories (ALACC); and

—
(c)Meets the standards established by regulation of the Board pursuant to subsection 2 of this section.

5. The testing required by this Section must be conducted post-decarboxylation, using high-performance liquid chromatography, or a similar method that includes the conversion of tetrahydrocannabinolic acid into tetrahydrocannabinol to determine the total tetrahydrocannabinol concentration in a tested product.

6. Each consumable hemp product must be labeled with the potential total THC, as defined by the Board.

7. A seller of any consumable hemp product in this State shall maintain a copy of the test results produced by an authorized testing laboratory, and those test results must be provided upon request.

8. This section does not apply to licensed cannabis establishments, which are subject to the testing requirements set forth in NRS 678B.290 and by the Board in regulation.

Sec. 21. Deceptive Trade Practices

Chapter 598 should be amended to add a new section:

A person engages in a “deceptive trade practice” if, in the course of his or her business or occupation, he or she:

1. Sells, offers for sale, or distributes a consumable hemp product that the person claims is processed or manufactured in compliance with this Act, if the product is not processed or manufactured in accordance with this Act.

2. Sells, offers for sale, or distributes a consumable hemp product if:

(1) the product contains synthetic cannabinoids as defined in NRS 678A.239; or

(2) the product contains any amount of a cannabinoid other than cannabidiol or cannabigerol and is sold outside of a licensed cannabis establishment.

Sec 22. NRS 453.301 is hereby amended to read as follows:

The following are subject to forfeiture pursuant to [NRS 179.1156](#) to [179.1205](#), inclusive:

1. All controlled substances which have been manufactured, distributed, dispensed or acquired in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.

2. All raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing or exporting any controlled substance in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.

3. All property which is used, or intended for use, as a container for property described in subsections 1 and 2.

4. All books, records and research products and materials, including formulas, microfilm, tapes and data, which are used, or intended for use, in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.

5. All conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, concealment, manufacture or protection, for the purpose of sale, possession for sale or receipt of property described in subsection 1 or 2.

6. All drug paraphernalia as defined by [NRS 453.554](#) which are used in violation of [NRS 453.560](#), [453.562](#) or [453.566](#) or a law of any other jurisdiction which prohibits the same or similar conduct, or of an injunction issued pursuant to [NRS 453.558](#).

7. All imitation controlled substances which have been manufactured, distributed or dispensed in violation of the provisions of [NRS 453.332](#) or [453.3611](#) to [453.3648](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.

8. All real property and mobile homes used or intended to be used by any owner or tenant of the property or mobile home to facilitate a violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#), or used or intended to be used to facilitate a violation of a law of any other jurisdiction which prohibits the same or similar conduct as prohibited in [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#). As used in this subsection, "tenant" means any person entitled, under a written or oral rental agreement, to occupy real property or a mobile home to the exclusion of others.

9. Everything of value furnished or intended to be furnished in exchange for a controlled substance in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct, all proceeds traceable to such an exchange, and all other property used or intended to be used to facilitate a violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#), or used or intended to be used to facilitate a violation of a law of any other jurisdiction which prohibits the same or similar conduct

as prohibited in [NRS 453.011](#) to [453.552](#), inclusive, except [NRS 453.336](#). If an amount of cash which exceeds \$300 is found in the possession of a person who is arrested for a violation of [NRS 453.337](#) or [453.338](#), then there is a rebuttable presumption that the cash is traceable to an exchange for a controlled substance and is subject to forfeiture pursuant to this subsection.

10. All firearms, as defined by [NRS 202.253](#), which are in the actual or constructive possession of a person who possesses or is consuming, manufacturing, transporting, selling or under the influence of any controlled substance in violation of the provisions of [NRS 453.011](#) to [453.552](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.

11. All computer hardware, equipment, accessories, software and programs that are in the actual or constructive possession of a person who owns, operates, controls, profits from or is employed or paid by an illegal Internet pharmacy and who violates the provisions of [NRS 453.3611](#) to [453.3648](#), inclusive, or a law of any other jurisdiction which prohibits the same or similar conduct.

12. All consumable hemp products in violation of this Act.

Sec. 23. In accordance with NRS 179.1156 to 179.121, inclusive, the Department of Public Safety or any law enforcement agency may seize and destroy consumable hemp products that contain any amount of a cannabinoid other than cannabidiol or cannabigerol and are sold outside a licensed cannabis establishment.

Sec. 24 Civil and Criminal Racketeering Liability

(1) A person commits the offense of racketeering if, for financial gain or commercial advantage, they knowingly:

Engage in at least two acts of unlawful sale, distribution, manufacture, or mislabeling of consumable hemp products in violation of this Act within a 5-year period; and

Such acts constitute a pattern of racketeering activity as defined by NRS 207.360 and 207.390.

(2) The Attorney General, a district attorney, or a city attorney may institute proceedings for:

Civil penalties, treble damages, or forfeiture of proceeds, injunctive relief, or criminal prosecution consistent with NRS 207.400.

(3) For purposes of this section, violations of this Act shall be considered predicate acts under NRS 207.360 and may be prosecuted under Nevada's existing RICO statutes.

—

NRS is hereby amended by adding thereto the provisions set forth in sections 25, 26, 27, 28, 29, 30, and 31 of this Act.

Sec. 25. Marketing of Consumable Hemp Product or Packaging in a Manner Attractive to Minors.

(1) A person shall not market, advertise, sell, or cause to be sold an edible consumable hemp product containing a hemp-derived cannabinoid that:

(a) is in the shape of a human, animal, fruit, or cartoon or in another shape that is attractive to children; or

(b) is in packaging or a container that:

(i) is in the shape of a human, animal, fruit, or cartoon or in another shape that is attractive to children;

(ii) depicts an image of a human, animal, fruit, or cartoon or another image that is attractive to children;

(iii) imitates or mimics trademarks or trade dress of products that are or have been primarily marketed to minors;

(iv) includes a symbol that is primarily used to market products to minors;

(v) includes an image of a celebrity; or

(vi) includes an image that resembles a food product, including candy or juice.

(c) “Cartoon” includes a depiction of an object, person, animal, creature, or any similar caricature that:

(i) uses comically exaggerated features and attributes;

(ii) assigns human characteristics to animals, plants, or other objects; or

(iii) has unnatural or extra-human abilities, such as imperviousness to pain or injury, x-ray vision, tunneling at very high speeds, or transformation.

(d) A person who violates this section is guilty of a misdemeanor.

Sec. 26. Manufacture, Sale, Delivery or Possession with Intent to Deliver of Certain Consumable Hemp Products.

(1) A person who knowingly manufactures, process, stores,

—
distributes, advertises, markets, sells or offers to sell, delivers or possesses with intent to deliver a consumable hemp product in this State that contains any amount of a cannabinoid other than cannabidiol or cannabigerol is guilty of a misdemeanor.

- (2) The court shall also order any profits, gain, gross receipts or other benefit from the violation to be disgorged and paid to the State Treasurer for deposit in the State General Fund.

Sec. 27. Sale or Distribution of Certain ‘Consumable Hemp Products to Persons Under 21 Years of Age; Proof of Age.

(1) A person shall not sell a consumable hemp product to a person who is younger than 21 years of age.

(2) A person who violates this section is guilty of a misdemeanor.

(3) It is a defense to prosecution under this Section that the person to whom the consumable hemp product was sold presented to the defendant apparently valid proof of identification.

(a) A proof of identification satisfies the requirements of this Section if it contains a physical description and photograph consistent with the person's appearance, purports to establish that the person is 21 years of age or older, and was issued by a governmental agency. The proof of identification may include a driver's license issued by this state or another state, a passport, or an identification card issued by a state or the federal government.

(4) The owner of a store in which consumable hemp products are sold, or an employee of the owner, may not display consumable hemp products for sale adjacent to products that are legal for children to consume.

Sec. 28. Manufacture, Distribution, or Sale of Consumable Hemp Products for Smoking.

(1) A person shall not manufacture, distribute, sell, or offer for sale a consumable hemp product for smoking.

(b) A person who violates this section is guilty of a misdemeanor.

Sec. 29. Sale or Delivery of Certain Consumable Hemp Products Near a School.

(1) For purposes of this section, "school" has the meanings assigned by NRS 388.127.

(b) A person shall not sell, offer for sale, or deliver a consumable hemp

—
product in, on, or within 1,000 feet of a school.

(c) A person who violates this section is guilty of a misdemeanor.

Sec. 30. Provision of Certain Consumable Hemp Product by Courier, Delivery, or Mail Service.

(1) A person shall not provide a consumable hemp product by courier, delivery, or mail service.

(b) A person who violates this section is guilty of a misdemeanor.

Sec. 31. False Laboratory Report.

A person who forges, falsifies, or alters the results of a laboratory test authorized or required by this act, with the intent to deceive, is guilty of a misdemeanor.