

Amendment - 2nd Reading-yellow - Requested by: Melody Cunningham - (H) Committee of the Whole

- 2025

69th Legislature 2025

Drafter: Matthew Weaver,

HB0792.001.001

HOUSE BILL NO. 792

INTRODUCED BY M. CUNNINGHAM, J. REAVIS, B. CLOSE, G. OVERSTREET, J. WEBER, E. MATTHEWS,
J. ETCHART, G. KMETZ, S. ESSMANN, S. DEMAROIS, J. HINKLE, V. MOORE

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO MARIJUANA
LABELING AND EDUCATION; REQUIRING WARNING POSTERS AT POINTS OF MARIJUANA SALE;
PROVIDING RULEMAKING AUTHORITY; ~~AND~~ AMENDING SECTIONS 16-12-112 AND 16-12-215, MCA;
AND PROVIDING A DELAYED EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 16-12-112, MCA, is amended to read:

"16-12-112. Rulemaking authority -- fees. (1) The department may adopt rules to implement and
administer this chapter, including:

- (a) the manner in which the department will consider applications for licenses, permits, and
endorsements and renewal of licenses, permits, and endorsements;
- (b) the acceptable forms of proof of Montana residency;
- (c) the procedures for obtaining fingerprints for the fingerprint-based and name-based background
checks required under 16-12-129;
- (d) the security and operating requirements for licensees;
- (e) the security and operating requirements for manufacturing, including but not limited to
requirements for:
 - (i) safety equipment;
 - (ii) extraction methods, including solvent-based and solvent-free extraction; and
 - (iii) post-processing procedures;
- (f) notice and contested case hearing procedures for fines or license and endorsement
revocations, suspensions, or modifications;

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(s) the fees for testing laboratories, the fingerprint-based and name-based background checks required under 16-12-129, employee certification, the marijuana transporter license, marijuana worker permits, and other fees necessary to administer and enforce the provisions of this chapter. The fees established by the department, taxes collected pursuant to Title 15, chapter 64, part 1, civil penalties imposed pursuant to this chapter, and the licensing fees established by rule and in part 2 of this chapter must be sufficient to offset the expenses of administering this chapter but may not exceed the amount necessary to cover the costs to the department of implementing and enforcing this chapter.

(2) The department may not adopt any rule or regulation that is unduly burdensome or undermines the purposes of this chapter.

(3) The department may consult or contract with other public agencies in carrying out its duties under this chapter."

Section 2. Section 16-12-215, MCA, is amended to read:

"16-12-215. Required warning labels and posters. (1) A person may not manufacture, package, sell, or transfer any marijuana or marijuana product unless the package containing the marijuana or marijuana product bears the following statements in a form required by the department a warning label. The text of the warning label must be displayed in a legible font, such as times new roman, arial, or helvetica, and the lowercase letter "o" must be at least one-sixteenth of an inch in height. The statement must be placed next to a yellow triangle with an exclamation point the universal warning symbol for marijuana and must read:

(a) "WARNING: Consumption of marijuana may cause anxiety, agitation, paranoia, psychosis, and cannabinoid hyperemesis excessive vomiting."

(b) "WARNING: Consumption of marijuana by pregnant women may result in fetal injury and low birth weight."

(c) "WARNING: Consumption of marijuana by nursing mothers may result in infant hyperactivity and poor cognitive function."

(d) "WARNING: Driving while under the influence of marijuana is a crime."

(2) Each warning statement must be printed on all forms of marijuana exit packaging.

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1 ~~(3) In addition to the requirements of subsection (1), a package of marijuana product with a THC~~
2 ~~content over 10% must include in red, bold print "WARNING: This product contains high-potency THC over~~
3 ~~10%."~~

4 ~~(4)(3)~~ A marijuana business shall display at any point of sale a poster that includes:

5 (a) graphic depictions of all text warnings; and

6 (b) all text warnings pursuant to this section.

7 ~~(5)(4)~~ Each label and poster must provide a website address or phone number for a resource that
8 provides assistance with overcoming marijuana addiction."

9

10 **NEW SECTION. Section 3. Effective date.** [This act] is effective January 1, 2026.

11 - END -