



# ALABAMA LAW

## HB445 Regulating Hemp/THC Products

2025 Session



**HB445:**

<https://alison.legislature.state.al.us/files/pdf/SearchableInstruments/2025RS/HB445-enr.pdf>



# HEMP IN ALABAMA



## Hemp vs Marijuana

- Both are cannabis
- Hemp: high CBD and low THC (0.3% non-psychoactive)
- Marijuana: low CBD and high THC (5%-20%+ and is psychoactive)



## How Did We Get Here?

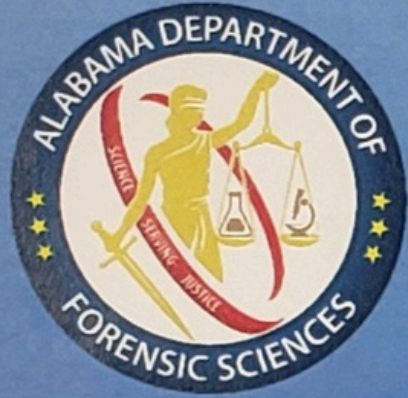
- 2018 U.S. Farm Bill-Hemp program (Focus was “industrial use”)
- Loophole: start with .3% THC (dry weight at harvest is legal)-then chemically change it to high-potency psychoactive THC and sell it



## High Potency THC Everywhere

- Hemp products have been synthetically changed into high-potency THC and are sold and used as “recreational marijuana”
- Unregulated and you can buy them everywhere-gas stations, etc.





# DUI's in Alabama

Rank	Drug	Number of Cases	Prevalence (% of Cases)
1	THC ( $\Delta$ 8-THC, $\Delta$ 9-THC) & other metabolites	1,336	41.3%
2	Alcohol	1,155	35.7%
3	Meth/Amphetamine	768	23.7%
4	Fentanyl	334	10.3%
5	Alprazolam (Xanax)	317	9.8%
6	Cocaine	228	7.0%
*Data for 2022-23			

AL has not legalized recreational marijuana, nor has AL's Medical Cannabis program even begun.

Yet the data shows that Alabama has a serious THC problem.

Beginning in 2022-23 the number one intoxicant for DUIs and automobile deaths was THC!

(The 2023-24 data is still being compiled.)



# We Advocated For A Ban



Eagle Forum testified in both the AL Senate and House Health Committees against bills to “regulate” the psychoactive THC products and called for them to be banned.



# However...

Once the House version was substituted in the Senate and passed, we urged the Governor to sign it without executive amendments.

## It is a “practical ban”

While not an outright ban, the imposed restrictions effectively function as a 'practical ban.' The stringent regulations and rigorous testing requirements will likely force most retailers out of business. And most importantly, the high-potency psychoactive products will now be deemed **illegal**.



**We Will Continue to Push For a Total Ban!**

# HB445 FINAL VERSION



## BANS

- All raw/leafy hemp plant material
- Can't be synthetic!
- No smokeable products
- No direct shipments, drive-through, online sales

## TESTING

- Requires 3rd party certificate of analysis (CoA) for every product & batch on file available at point of purchase
- If not, products seized without a warrant

## REGULATES

- Max 10mg THC per serving
- Each serving individually wrapped-child resistant
- Not more than 40mg/per carton
- Only available at 21 and above stores with Hemp license

## BEVERAGES

- Can be purchased at 21 and above stores and certain grocery stores
- 10mg max - 12 oz serving size
- Same testing requirements
- No on-site consumption or tastings



# HB445 FINAL VERSION



## LOCAL GOVERNING BODIES

- Governing body of the county or municipality where the licensed facility will be located must approve of the license.

## WE'LL FOLLOW THE U.S. CONGRESS

- If Congress closes the 2018 Farm Bill loophole and deems high-potency THC edibles from hemp illegal, then AL will follow suite.





# HB445 FINAL VERSION

## NO MARKETING TO KIDS

- Strict packaging/marketing regulations to prevent products from appealing to children

## TAXES

- Additional 10% excise tax

## PENALTIES

- Non-license sellers: 1st-3<sup>rd</sup> offense ranges from \$1,000-\$5,000
- Retailers: 1st-3<sup>rd</sup> offenses range from \$5,000-\$10,000
- Retailers selling to minors: \$5,000-\$20,000 and loss of license



HB445 could destroy 90% of the industry that is profiting from the sale of high-potency, psychoactive THC in Alabama. That is a great start while we continue to work for a total ban.





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[www.AlabamaEagle.org](http://www.AlabamaEagle.org)**