



Colorado
Legislative
Council
Staff

SB17-090

FINAL
FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 17-0751

Date: June 13, 2017

Prime Sponsor(s): Sen. Baumgardner
Rep. Mitsch Bush

Bill Status: Signed into Law

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BILL TOPIC: MEASURING DELTA-9 THC IN INDUSTRIAL HEMP

Summary of Legislation

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. The bill requires the Colorado Department of Agriculture (CDA) to determine the level of THC in industrial hemp by measuring the combined concentration of THC and its precursor, delta-9 tetrahydrocannabinolic acid (THC-A).

Background

THC is the psychoactive component of cannabis and THC-A is a biosynthetic precursor of THC. The CDA is responsible for ensuring that the industrial hemp produced in Colorado complies with the constitutional limit of THC. The CDA'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.

Assessment

Because this bill simply codifies the current testing method of the CDA, the bill is assessed as having no fiscal impact.

Effective Date

The bill was signed into law by the Governor on March 16, 2017, and takes effect August 9, 2017, assuming no referendum petition is filed.

State and Local Government Contacts

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