

**Amendment - 1st Reading/2nd House-blue - Requested by: Melody Cunningham - (S)
Business, Labor and Economic Affairs**

- 2025

69th Legislature 2025

Drafter: Matthew Weaver,

HB0792.002.001

1

HOUSE BILL NO. 792

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

4

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

9

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

11

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

13 **"16-12-112. Rulemaking authority -- fees.** (1) The department may adopt rules to implement and
14 administer this chapter, including:

15 (a) the manner in which the department will consider applications for licenses, permits, and
16 endorsements and renewal of licenses, permits, and endorsements;

17 (b) the acceptable forms of proof of Montana residency;

18 (c) the procedures for obtaining fingerprints for the fingerprint-based and name-based background
19 checks required under 16-12-129;

20 (d) the security and operating requirements for licensees;

21 (e) the security and operating requirements for manufacturing, including but not limited to
22 requirements for:

23 (i) safety equipment;

24 (ii) extraction methods, including solvent-based and solvent-free extraction; and

25 (iii) post-processing procedures;

26 (f) notice and contested case hearing procedures for fines or license and endorsement

27 revocations, suspensions, or modifications;

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

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

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

12

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

14 **"16-12-215. Required warning labels and posters.** (1) A person may not manufacture, package,
15 sell, or transfer any marijuana or marijuana product unless the package containing the marijuana or marijuana
16 product bears ~~the following statements in a form required by the department a warning label. The text of the~~
17 ~~warning label must be displayed in a legible font, such as times new roman, arial, or helvetica, and the~~
18 ~~lowercase letter "o" must be at least one-sixteenth of an inch in height. The statement must be placed next to a~~
19 ~~yellow triangle with an exclamation point THE UNIVERSAL WARNING SYMBOL FOR MARIJUANA and must read:~~

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

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

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

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

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

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

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

(a) graphic depictions of all text warnings; and

(b) all text warnings pursuant to this section.

(5)(4) Each ~~label and~~ poster must:

(a) be at least 8 1/2 inches by 11 inches in size;

(b) include the universal warning symbol for marijuana;

(c) include the text warnings pursuant to this section; and

(c) provide a website address, or phone number, and quick reference code for a resource that

provides assistance with overcoming marijuana addiction.

(5) Each exit package must include a quick reference code for a resource that provides consumer assistance with overcoming marijuana addiction."

NEW SECTION **SECTION 3** **EFFECTIVE DATE** [THIS ACT] IS EFFECTIVE ~~JANUARY~~ JULY 1, 2026

- END -