

COMMITTEE ON HEALTH, HOSPITALS AND HUMAN SERVICES

08/20/2025-REASSIGNED TO THE COMMITTEE ON HOMELAND SECURITY, JUSTICE AND PUBLIC SAFETY

**BILL NO. 36-0105**

**Thirty-Sixth Legislature of the Virgin Islands**

**June 24, 2025**

An act amending title 7 Virgin Islands Code, chapter 13, subchapter III by prohibiting the possession, sale, or manufacture of tetrahydrocannabinolic acid, delta-6 THC, delta-8 THC and delta-10 THC products in the Virgin Islands and for other related purposes

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**PROPOSED BY:** Senator Clifford A. Joseph, Sr.  
Co-sponsor: Hubert L. Frederick

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**WHEREAS**, the federal Hemp Farming Act of 2018 legalized hemp-derived products containing less than 0.3% delta-9 tetrahydrocannabinol (“delta-9 THC”);

**WHEREAS**, Act No. 8680 expanded the legalization of cannabis from medicinal use to adult use cannabis in the Virgin Islands;

**WHEREAS**, clarifying the definition of hemp will ensure equitable regulation, enforcement, and reduce ambiguity for businesses, law enforcement, and regulators, while keeping the Virgin Islands competitive in the hemp industry and spur economic development;

**WHEREAS**, delta-8 tetrahydrocannabinol (“delta-8 THC”) products have not been evaluated or approved by the Federal Drug Administration (“FDA”); as such, there is no guarantee of accuracy in labeling, potentially exposing consumers to risks;

1       **WHEREAS**, delta-8 THC is naturally found in very small amounts in cannabis, and to  
2 produce the concentrations needed for commercial products, it is typically synthesized from  
3 hemp-derived cannabidiol using chemical processes;

4       **WHEREAS**, the chemical process may involve unsafe chemicals and may result in  
5 harmful byproducts or contaminants in the final product, if not properly managed;

6       **WHEREAS**, delta-8 THC can be habit-forming or cause dependence, which can lead to  
7 addiction;

8       **WHEREAS**, many delta-8 THC products are marketed in ways to be appealing to  
9 children, mimicking candy and snack foods, thereby increasing the risk of accidental overdose  
10 and ingestion by children;

11       **WHEREAS**, product labels may be unclear or misleading, causing consumers to  
12 underestimate the psychoactive effects of delta-8 THC products;

13       **WHEREAS**, the FDA has received reports of adverse events related to delta-8 THC  
14 consumption, including hallucinations, vomiting, tremors, anxiety, dizziness, confusion, and  
15 loss of consciousness;

16       **WHEREAS**, poison control centers have also received numerous calls concerning delta-  
17 8-THC exposures, with a significant number involving unintentional exposure by children;

18       **WHEREAS**, states and territories have the authority to introduce laws regulating or  
19 banning delta-8 THC and other cannabinoids; and

20       **WHEREAS**, more than a dozen states have moved to control or ban delta-8 THC and  
21 similar products; Now, Therefore,

22 ***Be it enacted by the Legislature of the Virgin Islands:***

23       **SECTION 1.** Title 7 Virgin Islands Code, chapter 13, subchapter III is amended as  
24 follows:

(a) section 200 is amended in subsection (e) by inserting “Hemp or” before “Industrial”;

(b) by inserting the following section 200a:

“§ 200a. It is unlawful to sell, possess, or manufacture intoxicating hemp products in the Virgin Islands. Intoxicating hemp products are not included in the definition of hemp or industrial hemp and are:

(1) hemp-derived products containing cannabinoids that are not capable of being naturally produced by the cannabis sativa L plant;

(2) cannabinoids that are capable of being naturally produced by the cannabis sativa L. plant and were synthesized, chemically altered or manufactured outside of the plant including tetrahydrocannabinolic acid, delta-6 tetrahydrocannabinol (“THC”), delta-8 THC, or delta-10 THC and because nomenclature is not standardized, compounds of these structures, regardless of numerical designation; and

(3) products containing any quantifiable amounts of tetrahydrocannabinol acid or of any other cannabinoids that have similar effects or are marketed to have similar effects as THC on humans or animals.

(c) section 201, subsection (g) is stricken, and the following new subsection (g) is inserted:

“(g) Before obtaining a business license from the Department of Licensing and Consumer Affairs, a person or entity seeking to sell or manufacture hemp products, must first obtain a permit from the Commission.”

(d) section 203 is amended as follows:

(1) in the introductory clause by striking “Commissioner and the University of the Virgin Islands” and inserting “the Commission” and by striking “jointly”;

(2) in paragraph (3) by striking “Commissioner’s” and inserting “the Commission”; and

(3) by redesignating paragraph (5) as paragraph (6) and inserting the following new paragraph (5):

“(5) The permit approval process for hemp retailers and manufacturers and for the fees associated with the processing and issuance of the permit.”;

(e) in section 204 by striking “for use by the Commissioner” and insert “to be used by the Commission”; and

(f) by adding the following section 209:

**“§ 209. Penalties**

(a) If the Commission finds that a person or entity has violated any provision of this subchapter, the Commission shall fine the violator \$1,000 for each violation. If a person or entity violates the provisions of this subchapter on two or more occasions, upon notice and an opportunity to be heard, the Commission may revoke that person or entity’s permit.

(b) The Commission shall notify the Department of Licensing and Consumer Affairs when a person or entity has violated the provisions of this subchapter on two or more occasions. Upon notice and an opportunity to be heard, the Department of Licensing and Consumer Affairs may revoke that person or entity’s business license.

(c) The Commission shall deposit 50% of monies collected under this section into the Agriculture Revolving Fund and 50% shall be deposited into the Consumer Protection Fund.”

**SECTION 2.** Title 33 Virgin Islands Code, chapter 111, section 3018 is amended as follows:

(a) in subsection (c) by inserting the following paragraph (1) after “constituted of:”:

“(1) All monies collected by the Industrial Hemp Commission under title 7 Virgin Islands Code, chapter 13, subchapter III”; and by designating the other items beginning with “All” as paragraphs (2), (3), and (4), respectively; and

(b) In subsection (d), at the end of the first sentence after “industry” by inserting “, except that monies deposited into the Fund pursuant to 7 V.IC. § 204 must be used exclusively by the Industrial Hemp Commission to administer and enforce the provision of 7 V.I.C., ch. 13, subch. III.”

**SECTION 3.** Retailers that still have possession of tetrahydrocannabinolic acid, delta-6 tetrahydrocannabinol (“THC”), delta-8 THC, delta-10 THC, or and other cannabinoid products 60 days after the effective day of this act, shall turn these products over to the Industrial Hemp Commission.

### **BILL SUMMARY**

This bill prohibits the possession, sale, or manufacture of tetrahydrocannabinolic acid, delta-6 tetrahydrocannabinol (“THC”), delta-8 THC, or delta-10 THC in the Virgin Islands; provides for the Industrial Hemp Commission to issue permits for the retail sale or manufacture of these products; removes the Commissioner of Agriculture and the University of the Virgin Islands from having rulemaking authority; adds a penalty section for violations of the

1 subchapter; and provides that 50% of monies collected for penalties must be deposited into the  
2 Agriculture Revolving Fund to used exclusively by the Hemp Commission to administer and  
3 enforce the provisions of the subchapter and 50% to be deposited in the Consumer Protection  
4 Fund.

5 **BR25-0402/June 23, 2025/SLR**