

**COMMITTEE ON HEALTH, HOSPITALS AND HUMAN SERVICES**

**12/04/2025-AMENDED AND REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY**  
**10/09/2025-REASSIGNED TO THE COMMITTEE ON HOMELAND SECURITY, JUSTICE AND**  
**PUBLIC SAFETY**  
**09/04/2025-AMENDED AND REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY**  
**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 to prohibit 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:** Senators Clifford A. Joseph, Sr., and Marise C. James

Co-sponsor: Hubert L. Frederick

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

3            (a) In section 200:

4                (1) by striking subsections (d) and (e); and

5                (2) by adding the following definitions alphabetically and redesignating the  
6        remaining definitions accordingly:

7                “(\_\_) “Cannabidiol” or “CBD” means a non-psychotropic compound found in  
8        Cannabis sativa L. plants that contains not more than 0.3 percent delta-9  
9        tetrahydrocannabinol (THC) on a dry-weight basis.”

1           (\_\_\_\_) “Container” means the innermost wrapping, package, or vessel in direct  
2           contact with a hemp-derived cannabinoid product and in which the product is  
3           enclosed for retail sale, including a jar, bottle, bag, box, packet, can, carton, or  
4           cartridge.

5           (\_\_\_\_) “Hemp” means all parts and derivatives of Cannabis sativa L. plants, including  
6           their extracts, cannabinoids, isomers, acids, salts, and salts of isomers, with a total  
7           concentration of delta-9 tetrahydrocannabinol (THC), including  
8           tetrahydrocannabinolic acid (THCA), of not more than 0.3 percent on a dry-weight  
9           basis.

10           (\_\_\_\_) “Hemp-derived cannabinoid product” means any intermediate or final product  
11           derived from hemp that contains cannabinoids in any form and is intended for  
12           human or animal use, including for inhalation, ingestion, or topical application.

13           (\_\_\_\_) “Industrial hemp” means hemp grown for non-cannabinoid purposes,  
14           including fiber, seed oil, and other agricultural or manufacturing uses, and is  
15           included within the definition of hemp.”

16           (b) By inserting the following new section 200a:

17           **“§ 200a. Unlawful sale, possession, or manufacture of intoxicating hemp products  
18           or artificially derived cannabinoids**

19           (a) It is unlawful for any person to sell, possess, or manufacture intoxicating hemp  
20           products or artificially derived cannabinoids in the Virgin Islands without a valid license or  
21           permit issued by the Office of Cannabis Regulation.

22           (b) For purposes of this section, intoxicating hemp products and artificially derived  
23           cannabinoids are not included within the definitions of hemp or industrial hemp and include  
24           the following:

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

(2) Cannabinoids that can be naturally produced by the Cannabis sativa L. plant but that have been synthesized, chemically altered, or manufactured outside of the plant, including through the isomerization of cannabidiol (CBD), tetrahydrocannabinolic acid (THCA), delta-6 tetrahydrocannabinol (THC), delta-8 THC, or delta-10 THC, and any compounds of these structures, regardless of numerical designation, because nomenclature is not standardized;

(3) Products containing any quantifiable amount of THCA or other cannabinoids that have, or are marketed to have, similar effects as THC on humans or animals;

(4) Any cannabinoid other than delta-9 THC that is naturally derived and that, when introduced into the human body, is reasonably likely to cause intoxication or impairment based on known effects on perception, cognition, or behavior, or that has a psychoactive effect or is marketed or labeled as having euphoric, intoxicating, or psychotropic effects; and

(5) “Artificially derived cannabinoid” means a cannabinoid extracted from a hemp plant or hemp plant parts whose chemical composition has been altered after extraction to create a different cannabinoid or other chemical compound by applying a catalyst other than heat or light. The term includes any tetrahydrocannabinol created from cannabidiol (CBD).”

(c) In section 201, by striking subsection (g) and inserting:

“(g) Before obtaining a business license from the Department of Licensing and Consumer Affairs, a person or entity seeking to sell or manufacture hemp or hemp-derived products, including cannabidiol (CBD) and other non-psychoactive hemp products, shall 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's"; 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 inserting “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 impose a civil fine of \$2,500 for the first offense or less than \$5,000 for a second offense within a twelve-month period. If a person or entity violates the provisions of this subchapter on two or more occasions, the Commission after notice and an opportunity to be heard, revoke that person's 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 three or more occasions within an eighteen-month period. After notice and an opportunity to be heard, the Department of Licensing and Consumer Affairs may revoke that person's or entity's business license. A person or business entity has the right to appeal the decision to the Department of Licensing and Consumer Affairs.

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

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

7 “(1) All monies collected by the Industrial Hemp Commission under title 7

8 Virgin Islands Code, chapter 13, subchapter III”; and by redesignating the remaining

9 items accordingly; and

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

14                   **SECTION 3.** Retailers that possess tetrahydrocannabinolic acid (THCA), delta-6  
15 tetrahydrocannabinol (THC), delta-8 THC, delta-10 THC, or other intoxicating cannabinoid  
16 products on or after 60 days following the effective date of this act shall, within the 60 day  
17 period, submit an inventory list of such products to the Industrial Hemp Commission and the  
18 Office of Cannabis Regulation.

19        Each retailer shall have 90 days from the effective date of this act to sell or otherwise  
20      dispose of its remaining inventory in accordance with regulations promulgated by the Office  
21      of Cannabis Regulation.

22 After the 90 day period, the Office of Cannabis Regulation, in coordination with the  
23 Industrial Hemp Commission, shall establish and implement a plan for the lawful disposition  
24 of any remaining unsold products.

1       **SECTION 4.** (a) Title 19 Virgin Islands Code, chapter 34, section 776 is amended by  
2       adding the following definitions alphabetically and redesignating the remaining definitions  
3       accordingly:

4           “(\_\_) “Artificially Derived Cannabinoid” means a cannabinoid extracted from a  
5       hemp plant or hemp plant parts whose chemical composition is altered after extraction to  
6       create a different cannabinoid or other chemical compound by applying a catalyst other  
7       than heat or light. The term includes any tetrahydrocannabinol created from cannabidiol  
8       (CBD), and any naturally derived cannabinoid other than delta-9 THC that, when  
9       introduced into the human body, is reasonably likely to cause intoxication or impairment  
10      based on known effects on perception, cognition, or behavior, or that has a psychoactive  
11      effect or is marketed or labeled as having euphoric, intoxicating, or psychotropic effects.

12           “(\_\_) “Intoxicating Hemp Product” means a hemp-derived product containing  
13      cannabinoids that are not capable of being naturally produced by the *Cannabis sativa L.*  
14      plant; cannabinoids that are capable of being naturally produced by the *Cannabis sativa*  
15      *L.* plant but that have been synthesized, chemically altered, or manufactured outside of  
16      the plant, including through the isomerization of cannabidiol (CBD),  
17      tetrahydrocannabinolic acid (THCA), delta-6 tetrahydrocannabinol (THC), delta-8 THC,  
18      or delta-10 THC, and, because nomenclature is not standardized, compounds of these  
19      structures regardless of numerical designation. The term also includes products  
20      containing any quantifiable amount of tetrahydrocannabinolic acid or other cannabinoids  
21      that have similar effects, or are marketed to have similar effects, as THC on humans or  
22      animals.

23           “(\_\_) “Intoxicating Hemp/Artificially Derived Cannabinoid Retailer License”  
24      means a license issued under this chapter authorizing a person to operate a business, as

1 described in section 794a of this title, that sells intoxicating hemp and artificially derived  
2 cannabinoid products.”

3 (b) Title 19 Virgin Islands Code, chapter 34, section 777(k) is amended by inserting  
4 “and Intoxicating Hemp/Artificially Derived Cannabinoid” at the end of the first sentence.

5 (c) Title 19 Virgin Islands Code, chapter 34, section 778(a) is amended:

6 (1) in paragraph (9), by striking “and”;

7 (2) in paragraph (10), by inserting “and” at the end of the sentence; and

8 (3) by inserting the following new paragraph (11):

9 “(11) Intoxicating Hemp/Artificially Derived Cannabinoid Retailer License.”

10 (d) Title 19 Virgin Islands Code, chapter 34, sections 787(b) and 787(d) are

11 amended:

12 (1) in paragraph (1), by striking “and” at the end;

13 (2) in paragraph (2), by striking the period at the end and inserting “; and”; and

14 (3) by inserting the following new paragraph (3):

15 “(3) Up to six Intoxicating Hemp/Artificially Derived Cannabinoid  
16 Retailer Licenses.”

17 (e) Title 19 Virgin Islands Code, chapter 34, section 787(c) is amended:

18 (1) in paragraph (1), by striking “and” at the end;

19 (2) in paragraph (2), by striking the period at the end and inserting “; and”; and

20 (3) by inserting the following new paragraph (3):

21 “(3) Up to two Intoxicating Hemp/Artificially Derived Cannabinoid  
22 Retailer Licenses.”

23 (f) Title 19 Virgin Islands Code, chapter 34 is amended by adding the following new

24 section 794a:

1                   **“§ 794a. Intoxicating Hemp/Artificially Derived Cannabinoid Retailer**  
2                   **License**

3                   (a) An Intoxicating Hemp/Artificially Derived Cannabinoid Retailer License may not  
4                   be issued to a gas station, convenience store, or grocery store, and a licensee may not operate  
5                   within 250 feet of a school or church.

6                   (b) The Office of Cannabis Regulation shall promulgate regulations within 90 days of  
7                   the effective date of this section specifying acceptable forms of identification for confirming  
8                   an individual's age and residency.

9                   (c) The Office of Cannabis Regulation shall promulgate regulations within 90 days of  
10                   the effective date of this section governing the testing, packaging, and tracking of all  
11                   intoxicating hemp and artificially derived cannabinoid products sold in the territory.

12                   (d) An Intoxicating Hemp/Artificially Derived Cannabinoid Retailer shall implement  
13                   reasonable measures to verify that all purchasers are 21 years of age or older.

14                   (e) All intoxicating hemp and artificially derived cannabinoid products sold by a  
15                   licensee must be tested by an independent ISO-certified laboratory. Licensees shall partner  
16                   with the University of the Virgin Islands or contract with accredited laboratories in Puerto Rico  
17                   or in another jurisdiction approved by the Office of Cannabis Regulation.

18                   (f) An Intoxicating Hemp/Artificially Derived Cannabinoid Retailer may not sell any  
19                   product that mimics candy or snack items, and all product packaging must be child-resistant  
20                   and tamper-evident.”

21                   (g) Title 19 Virgin Islands Code, chapter 34, section 800b(a) and (b) are amended by  
22                   inserting “and an Intoxicating Hemp/Artificially Derived Cannabinoid Retailer” after  
23                   “Dispensary.”

24                   (h) Title 19 Virgin Islands Code, chapter 34, section 800c(b) is amended:

(1) in subsection (4) by inserting “and an Intoxicating Hemp/Artificially Derived Cannabinoid Retailer” after “Dispensary.”; and

(2) in subsection (5), by striking “; and”;

(3) by inserting the following new subsection (7):

“(7) \$15,000 for an Intoxicating Hemp/Artificially Derived Cannabinoid Retailer License.”

**SECTION 5.** Nothing in this act prevents the Virgin Islands Police Department, the Department of Licensing and Consumer Affairs or the Department of Health from seizing illegal products, making arrests or issuing citations

## **BILL SUMMARY**

11 This bill prohibits the possession, sale, or manufacture of tetrahydrocannabinolic acid,  
12 delta-6 tetrahydrocannabinol (“THC”), delta-8 THC, or delta-10 THC in the Virgin Islands;  
13 provides for the Industrial Hemp Commission to issue permits for the retail sale or manufacture  
14 of these products; removes the Commissioner of Agriculture and the University of the Virgin  
15 Islands from having rulemaking authority; adds a penalty section for violations of the  
16 subchapter; and provides that 50% of monies collected for penalties must be deposited into the  
17 Agriculture Revolving Fund to used exclusively by the Hemp Commission to administer and  
18 enforce the provisions of the subchapter and 50% to be deposited in the Consumer Protection  
19 Fund.

20 BR25-0402/June 23, 2025/SLR

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