

COMMITTEE ON HEALTH, HOSPITALS AND HUMAN SERVICES

01/08/2026-REPORTED OUT TO THE FLOOR

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

PROPOSED BY: Senators Clifford A. Joseph, Sr., and Marise C. James
Co-sponsor: Hubert L. Frederick

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

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

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

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

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

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

22 “(g) Before obtaining a business license from the Department of Licensing and
23 Consumer Affairs, a person or entity seeking to sell or manufacture hemp or hemp-
24 derived products, including cannabidiol (CBD) and other non-psychoactive hemp
25 products, shall first obtain a permit from the Commission.”

1 (d) Section 203 is amended as follows:

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

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

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

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

10 (e) In section 204, by striking “for use by the Commissioner” and inserting “to be used
11 by the Commission”; and

12 (f) by adding the following section 209:

13 **“§ 209. Penalties**

14 (a) If the Commission finds that a person or entity has violated any provision of
15 this subchapter, the Commission shall impose a civil fine of \$2,500 for the first offense
16 and not less than \$5,000 for a second offense within a twelve-month period. If a person or
17 entity violates the provisions of this subchapter on two or more occasions, the Commission
18 may, after notice and an opportunity to be heard, revoke that person’s or entity’s permit.

19 (b) The Commission shall notify the Department of Licensing and Consumer
20 Affairs when a person or entity has violated the provisions of this subchapter on three or
21 more occasions within an eighteen-month period. After notice and an opportunity to be
22 heard, the Department of Licensing and Consumer Affairs may revoke that person’s or
23 entity’s business license. A person or business entity has the right to appeal the decision
24 of the Department of Licensing and Consumer Affairs.

1 (c) The Commission shall deposit 25 percent of all monies collected under this
2 section into the Agriculture Revolving Fund, 25 percent into the Consumer Protection
3 Fund, 25 percent into the Cannabis Fund, and 25 percent into the Health Revolving Fund.”

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

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

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

5 “(7) \$15,000 for an Intoxicating Hemp/Artificially Derived Cannabinoid
6 Retailer License.”

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

10 **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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24 527\Amendment 36-527 - DRAFTED ON YELLOW.docx](#)