

**HB0108H3001**

1 Page 1-line 5 After "defenses;" insert "prohibiting the  
2 possession of edible products and vaping  
3 products by persons under twenty-one (21)  
4 years of age;".  
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6 Page 1-line 10 Delete "is" and insert "and 14-3-311 are".  
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8 Page 4-after line 23 Insert:  
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10 **"14-3-311. Possession of edible products and vaping products**  
11 **by persons under age twenty-one prohibited; penalties.**  
12

13 (a) It is unlawful for a person under the age of twenty-one  
14 (21) years to possess or use any edible products or vaping products  
15 except for cannabidiol oil that has not more than three-tenths  
16 percent (0.3%) of tetrahydrocannabinol. No person shall be  
17 arrested for an alleged violation of this subsection but shall be  
18 issued a citation as a charging document by a peace officer having  
19 probable cause to believe the person violated this subsection. An  
20 officer issuing a citation shall deposit one (1) copy of the  
21 citation with the court having jurisdiction over the alleged  
22 offense. Bond may be posted and forfeited for an offense charged  
23 under this section in an amount equal to the fine imposed by  
24 subsection (b) of this section.  
25

26 (b) Any person violating subsection (a) of this section is  
27 guilty of a misdemeanor punishable by a fine of fifty dollars  
28 (\$50.00). In lieu of the fine under this subsection, the court may  
29 allow the defendant to perform community service and be granted  
30 credit against the fine and court costs at the rate of ten dollars  
31 (\$10.00) for each hour of work performed.  
32

33 (c) No conviction under subsection (b) of this section,  
34 whether by guilty plea, adjudication of guilt or forfeiture of  
35 bond shall be reported by the court to any law enforcement agency.  
36 Upon payment of the fine imposed by subsection (b) of this section,  
37 a criminal conviction under this section shall be expunged by  
38 operation of law from all records of the court nine (9) months  
39 after the entry of conviction. For any person whose record of  
40 conviction was expunged under this subsection, the conviction is  
41 deemed not to have occurred and the person may reply accordingly  
42 upon any inquiry in the matter. No expungement under this  
43 subsection shall be considered for purposes of any other law  
44 providing for expungement.".

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2 Page 5-line 11 After "14-3-310" insert "and 14-3-311".  
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4 Page 7-line 12 After "14-3-310" insert "and 14-3-311".  
5 NEWSOME