

218B.120 Producer and producer agent -- Permissible actions.

- (1) A producer or producer agent acting on behalf of a producer shall not be subject to prosecution under state or local law, to search or inspection except by the cabinet pursuant to KRS 218B.100, to seizure or penalty in any manner, or be denied any right or privilege, including but not limited to civil penalty or disciplinary action by a court or business licensing board, for acting pursuant to this chapter and the cabinet's administrative regulations for:
 - (a) Acquiring, possessing, planting, cultivating, raising, harvesting, trimming, or storing cannabis seeds, seedlings, plants, or raw plant material;
 - (b) Delivering, transporting, transferring, supplying, or selling raw plant material, medicinal cannabis products, or related supplies to other licensed cannabis businesses in this state;
 - (c) Selling cannabis seeds or seedlings to similar entities that are licensed to cultivate cannabis in this state or in any other jurisdiction;
 - (d) Acquiring or purchasing raw plant material from a cultivator in this state; or
 - (e) Possessing, processing, preparing, manufacturing, manipulating, blending, preparing, or packaging medicinal cannabis.
- (2) Producers and producer agents acting on behalf of a producer shall:
 - (a) Only deliver raw plant material to a licensed processor, licensed producer, licensed safety compliance facility, or licensed dispensary for fair market value;
 - (b) Only deliver raw plant material to a licensed dispensary, processor, or producer after it has been checked by a safety compliance facility agent for cannabinoid contents and contaminants in accordance with administrative regulations promulgated by the cabinet;
 - (c) Not supply a dispensary with more than the amount of raw plant material reasonably required by a dispensary; and
 - (d) Be limited to an indoor cannabis growth area of fifty thousand (50,000) square feet.
- (3) A producer licensed under this section shall not possess, process, produce, or manufacture:
 - (a) Raw plant material with a delta-9 tetrahydrocannabinol content of more than thirty-five percent (35%);
 - (b) Medicinal cannabis products intended for oral consumption as an edible, oil, or tincture with more than ten (10) milligrams of delta-9 tetrahydrocannabinol per serving;
 - (c) Any medicinal cannabis product not described in paragraph (a) or (b) of this subsection with a delta-9 tetrahydrocannabinol content of more than seventy percent (70%); or
 - (d) Any medicinal cannabis product that contains vitamin E acetate.

Effective: July 1, 2024

History: Created 2023 Ky. Acts ch. 146, sec. 23, effective July 1, 2024.

Legislative Research Commission Note (4/17/2024). The effective date of the creation

of this statute in 2023 Ky. Acts ch. 146, sec. 23, was changed from January 1, 2025, to July 1, 2024, in 2024 Ky. Acts ch. 195, sec. 24.