

New Retail Location Restrictions on Georgia Hemp Product Sales

By Stephen B. Schrock, Sean A. Gordon and Alexander James Andrews

A new Georgia law imposes several restrictions on hemp products, including where they can be sold within the state. SB 494 became effective on July 1, 2024, along with several other new laws, including SB 420 relating to foreign ownership of agricultural land and land near military installments which we previously described [here](#).

SB 494 amends Georgia's Hemp Farming Act [O.C.G.A. § 2-23-1 et seq.], which initially decriminalized the growth, research and development of hemp and its derivatives in the state. Under this new bill, retailers may sell hemp products with a delta-9-THC concentration of less than .3 to consumers 21 years and older. SB 494 also enacts important provisions related to the licensing, enforcement and sales of hemp products. Importantly, SB494 provides that no person or entity may begin operating a retail establishment that sells or distributes consumable hemp products to consumers located within 500 feet of a school for any level kindergarten through grade 12. [O.C.G.A. § 2-23-9.3].

A hemp retail establishment is unlikely to be set up near a school due to zoning laws and disclosure requirements established for retail locations. However, prospective businesses should still consider location restrictions early in the process before purchasing or leasing retail property.

SB 494 also contains several other pertinent provisions that go into effect on October 1, 2024, such as the prohibition on selling hemp products that look like snacks or candy or are otherwise attractive to children. [O.C.G.A. § 2-23-9.2].

Thompson Hine can assist you in understanding the requirements and restrictions in your state and planning future transactions.

For More Information

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