

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 4635

STATE OF NEW JERSEY

DATED: OCTOBER 15, 2026

The Senate Judiciary Committee reports favorably Senate Bill No. 4635.

This bill aligns State restrictions on the sale of hemp products and intoxicating hemp beverages with federal law.

Under current State law, certain licensees of the Division of Alcoholic Beverage Control (ABC) or the Cannabis Regulatory Commission (CRC) may sell intoxicating hemp beverages.

In November 2025, the federal government amended the federal definition of marijuana to include hemp that exceeds a total tetrahydrocannabinol (THC) standard of 0.3 percent on a dry weight basis, derivatives of such, and the production of certain hemp products. When these changes become effective, the production of certain hemp products, including intoxicating hemp beverages, will generally be prohibited.

This federal change was initially scheduled to take effect on November 13, 2026. In September 2026, Congress enacted a continuing resolution which partially delayed the effective date for the relevant federal changes to December 11, 2026. On November 13, 2026, certain hemp products that contain cannabinoids that are not capable of being naturally produced by a *Cannabis sativa L.* plant will be classified as marijuana and thus illegal under federal law, but other hemp products that contain cannabinoids that are capable of being naturally produced by a *Cannabis sativa L.* plant will be permitted until at least December 11, 2026.

To align with the continuing resolution, State law on hemp products and intoxicating hemp beverages must be amended. However, to accommodate potential further federal delays to the effective date of the federal definition of hemp, this bill provides that State law will be modified to comport with the changes in federal law whenever they become effective.

Under the bill, the sale of hemp products by ABC and CRC licensees will remain legal until the federal definitional changes become effective.