

# Delta-8 Advocates Push Back Against Cannabis Critics

## Indiana Cannabis Adversaries Fear Senate Bill 478 Could Pave the Way for Full Legalization, but a Key Lawmaker Disagrees

Rep. Jake Teshka, R-North Liberty, [addressed concerns surrounding Senate Bill 478](#), a piece of legislation aiming to regulate the burgeoning delta-8 THC industry in Indiana. He stated that misconceptions about the bill's intent have fueled opposition and pledged to collaborate on necessary adjustments.

### Senate Bill 478 Seeks to Regulate the Delta-8 THC Industry in Indiana

Teshka is sponsoring Senate Bill 478, a measure designed to establish licensing, testing, packaging, age restrictions, advertising guidelines, and other regulatory requirements for "craft hemp flower products," primarily focusing on delta-8 THC. Delta-8 is an isomer of delta-9 THC, the primary psychoactive compound in marijuana.

### The Unregulated Market Has Created Challenges That Lawmakers Are Trying to Address

"The status quo is not acceptable. It truly is the Wild West out there," Teshka said, highlighting the need for oversight in an industry that has operated in legal ambiguity. While the Senate has historically opposed regulatory efforts, this year's bill originated in that chamber and gained approval before moving to the House.

### House Committee Amendments Spark Opposition from Prosecutors and Anti-Marijuana Advocates

Despite the Senate's support, recent amendments in a House committee led to opposition from the Indiana Prosecuting Attorneys Council (IPAC) and raised concerns among marijuana opponents. Micah Clark, head of Indiana's American Family Association chapter, warned that the bill could inadvertently advance marijuana legalization.

### Debate Centers Around the Definition of Hemp and Its Potential Impact on Law Enforcement

One controversial amendment modified the definition of hemp and its derivatives. Chris Daniels, representing IPAC, argued that removing certain "precursors" could complicate enforcement. He cited THCA, a precursor to delta-9 THC, as an example, noting that products high in THCA could legally pass testing but convert into high-potency THC when heated.

## **Testing Challenges Could Increase Costs and Complicate Enforcement Efforts**

Daniels warned that Indiana's testing facilities lack the necessary equipment, potentially forcing authorities to rely on costly private, out-of-state labs. Teshka countered that in-state facilities already conduct similar testing, though he acknowledged gaps in differentiating legal hemp from banned marijuana.

## **Proposed THC Limits Raise Concerns About Indiana Becoming a High-Potency Market**

The bill sets limits for delta-8, delta-9, and other THC variants in craft hemp products: edibles at 100 mg per serving, drinks at 25 mg per unit, and e-liquids at less than 3 grams per device, with a 20% variance allowed. Daniels warned that the thresholds could make Indiana a hotspot for high-potency products. However, Teshka maintained that the restrictions significantly reduce current potency levels in the market.

## **Lawmakers Aim to Address Concerns Before the Next Legislative Session Ends**

Teshka and IPAC planned to meet to clarify aspects of the bill and address concerns. He emphasized that delaying regulations would only allow the industry's current issues to persist unchecked.

## **Senate Bill 478 Advances to the House Ways and Means Committee for Further Review**

Following an 8-3 committee vote, the bill now awaits consideration by the House Ways and Means Committee, where financial implications will be assessed.

## **Federal Judge Dismisses Lawsuit Over Delta-8 Legality, Leaving State Courts as the Next Battleground**

As Indiana grapples with delta-8 regulation, a federal judge dismissed a nearly two-year-old lawsuit challenging the compound's legality due to lack of standing. The ruling leaves the door open for plaintiffs to re-file in state court, further shaping Indiana's evolving cannabis landscape.

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