

# Texas Officials Approve New Hemp THC Age and License Rules

## Texas Officials Set Age Limit and Licensing Rules for Hemp THC Products

### *Emergency Rules Introduced to Regulate Hemp Product Sales Following Governor's Order*

Texas health officials have implemented emergency regulations to establish a minimum age of 21 for purchasing consumable hemp products, including those containing hemp-derived THC. The move comes amid growing concerns about youth access to psychoactive hemp products and follows an executive order issued by Governor Greg Abbott (R) last month directing state agencies to impose stricter oversight of the rapidly expanding hemp industry.

The Texas Department of State Health Services (DSHS) announced the new rules on Friday, marking a swift regulatory response to the governor's directive. The emergency measures are designed to take immediate effect while the state considers longer-term legislation to permanently govern the hemp-derived THC market.

According to DSHS, the rules will remain in force for 120 days, with the option for a 60-day extension if additional time is needed to finalize permanent regulations.

### **Emergency Rules Set Age Limit and Strengthen Retailer Accountability**

Under the new emergency framework, Texas retailers are now prohibited from selling consumable hemp products — including edibles, beverages, oils, and vapes containing THC — to anyone under the age of 21. Retailers must verify customer age by inspecting a valid government-issued photo ID before completing any sale.

A second rule grants DSHS the authority to revoke licenses or registrations for businesses found selling hemp products to minors. This enforcement mechanism is intended to deter violations and ensure compliance across the state's expanding hemp market.

The agency emphasized that the new rules are meant to “protect public health and safety” while maintaining access to legal hemp-derived products for adult consumers.

“The department has acted in accordance with the governor's directive to prevent youth access to hemp products that may contain intoxicating compounds,” a DSHS spokesperson said in a statement. “Retailers are expected to take immediate steps to verify age and comply with the updated rules.”

# **Governor Abbott’s Executive Order Spurs Rapid Action After Legislative Gridlock**

Governor Abbott’s executive order came after months of legislative deadlock over how to regulate the sale of hemp-derived THC in Texas. Earlier this year, state lawmakers considered a bill that would have banned the sale of hemp-derived THC products entirely, including popular delta-8 and delta-9 edibles.

However, the governor ultimately vetoed the bill, citing concerns about overreach and the economic consequences for hemp farmers and small business owners. Instead, Abbott called a special legislative session, urging lawmakers to craft a more balanced regulatory approach that restricted youth access while allowing legitimate adult use.

When lawmakers failed to reach a compromise after two special sessions, Abbott issued the executive order, instructing DSHS to implement emergency measures to regulate the market in the interim.

“The Texas hemp industry has grown faster than our ability to regulate it,” Abbott said when signing the order. “We need responsible safeguards that keep products out of the hands of minors while ensuring adults have access to safe, tested, and legal hemp products.”

## **Hemp-Derived THC: A Growing Industry With Legal Gray Areas**

Since the 2018 federal Farm Bill legalized hemp cultivation nationwide, Texas has seen a boom in products containing hemp-derived cannabinoids, including delta-8 and delta-9 THC. These compounds are chemically similar to marijuana-based THC but are derived from hemp plants containing less than 0.3% delta-9 THC by dry weight — a threshold that keeps them federally legal.

The popularity of hemp-derived THC products has skyrocketed in Texas, particularly among adults seeking cannabis alternatives in a state where marijuana remains illegal for recreational use. From gummies to seltzers and vape cartridges, hemp products are widely available in smoke shops, wellness stores, and online retailers.

However, the lack of clear age restrictions and inconsistent product testing has sparked public health concerns, particularly about accidental consumption by minors. Law enforcement agencies have also raised alarms about misleading packaging and high potency levels, arguing that some hemp-derived products blur the line between hemp and marijuana.

## **Retailers Brace for Compliance Costs and Stricter Oversight**

For Texas retailers, the new emergency rules represent both a compliance challenge and a potential business disruption. Shop owners and distributors must now verify the age of every customer purchasing hemp-derived products and ensure that staff are properly trained to spot fake IDs.

Failure to comply could result in license revocation or fines under the DSHS order.

Retailers expressed mixed reactions to the rules. Some welcomed the new regulations as a step toward legitimizing the industry, while others warned that the state’s “patchwork approach” creates uncertainty for business owners.

“It’s good that the state is finally acknowledging the need for regulation,” said a hemp store owner in Austin. “But these emergency rules feel rushed, and small businesses like mine are being forced to adapt overnight.”

Others fear that overregulation could drive consumers back to unregulated markets or push legitimate hemp businesses out of Texas entirely.

## **Lawmakers and Industry Leaders Call for Long-Term Legislative Framework**

Industry advocates are urging lawmakers to use the next legislative session to establish comprehensive hemp reform rather than relying on temporary emergency rules.

The Texas Hemp Coalition has called for standardized product testing, labeling requirements, and a permanent age limit, while opposing any outright ban on hemp-derived THC.

“Texas has the opportunity to be a national leader in hemp innovation,” the coalition said in a statement. “But that can only happen if we create clear, consistent rules that protect consumers and businesses alike.”

Several lawmakers have echoed that sentiment, noting that emergency regulations are not a substitute for thoughtful legislation.

State Rep. Trent Ashby (R-Lufkin), who supported earlier attempts at hemp regulation, said, “We need a permanent, transparent framework that gives clarity to both retailers and consumers. Emergency rules should only be the beginning of that process.”

## **Public Health Advocates Support Age Restriction, Urge Education Campaign**

Public health experts largely support the 21-and-over rule, citing research that links THC consumption at younger ages to potential cognitive effects and developmental risks.

However, many are calling for public education campaigns to accompany enforcement efforts.

“Age limits are essential, but they’re not enough on their own,” said Dr. Laura Simental, a public health policy researcher at the University of Texas. “We need educational outreach to parents and teens to ensure they understand what hemp-derived THC is — and isn’t.”

Dr. Simental added that the proliferation of edible THC products in colorful packaging could make them especially appealing to minors, creating a need for stronger marketing restrictions and warning labels.

## **What Happens Next: Rule Enforcement and Future Outlook**

The emergency rules took effect immediately upon publication and will remain active through early 2026 unless replaced by permanent regulations. DSHS officials say they will monitor compliance through regular inspections and may conduct sting operations to ensure retailers are checking IDs.

If the Legislature fails again to pass long-term reforms, the emergency rules could be extended for an additional 60 days, giving regulators more time to propose permanent standards.

For now, the move marks a significant turning point in Texas’s approach to hemp regulation, signaling a shift from a largely unregulated market to one with tighter state oversight.

As policymakers, retailers, and health experts continue to debate the future of hemp in Texas, one thing is clear: the era of unrestricted hemp sales in the Lone Star State is coming to an end.

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