

2020 Regular Session

HOUSE BILL NO. 418

BY REPRESENTATIVE LACOMBE

CONTROLLED SUBSTANCES: Provides relative to immunity from prosecution for medical marijuana

1 AN ACT

2 To amend and reenact R.S. 40:966(F)(6) and to enact R.S. 40:966(F)(7) and (8), relative to
3 immunity from prosecution for medical marijuana; to provide that certain facilities
4 and physicians shall be exempt from prosecution for certain violations of the
5 Uniform Controlled Dangerous Substances Law; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:966(F)(6) is hereby amended and reenacted and R.S. 40:966(F)(7)
8 and (8) are hereby enacted to read as follows:

9 §966. Penalty for distribution or possession with intent to distribute narcotic drugs
10 listed in Schedule I; possession of marijuana, synthetic cannabinoids, and
11 heroin

12 * * *

13 F. Immunity from prosecution.

14 * * *

15 (6) Any facility that is licensed by the Louisiana Department of Health that
16 has patients in its care using medical marijuana pursuant to R.S. 40:1046.

17 (7) Any physician who provides information on marijuana for therapeutic
18 use within a bona fide doctor-patient relationship or who issues a recommendation
19 to a patient for marijuana for therapeutic use pursuant to R.S. 40:1046.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 418 Reengrossed

2020 Regular Session

LaCombe

Abstract: Provides that any facility licensed by the La. Dept. of Health that has patients in its care using medical marijuana and certain physicians shall be exempt from prosecution for certain violations of the Uniform Controlled Dangerous Substances Law.

Present law provides that certain persons are exempt from prosecution for certain violations of present law (the Uniform Controlled Dangerous Substances Law).

Proposed law retains present law and adds that any facility licensed by the La. Dept. of Health that has patients in its care using medical marijuana pursuant to present law (R.S. 40:1046) and physicians who provide information on marijuana for therapeutic use within a bona fide doctor-patient relationship or who issue a recommendation to a patient for marijuana for therapeutic use pursuant to present law shall be exempt from prosecution for certain violations of present law (the Uniform Controlled Dangerous Substances Law).

(Amends R.S. 40:966(F)(6); Adds R.S. 40:966(F)(7) and (8))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Exempt physicians who provide information on marijuana for therapeutic use within a bona fide doctor-patient relationship or who issue a recommendation to a patient for marijuana for therapeutic use pursuant to present law from prosecution for certain violations of present law (the Uniform Controlled Dangerous Substances Law).