
DIGEST

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HB 564 Original

2019 Regular Session

Jordan

Abstract: Provides for the regulation of the cultivation, manufacturing, and retail sale of cannabis and cannabis products.

Proposed law authorizes the Dept. of Agriculture and Forestry (LDAF) to create and issue up to 15 cannabis production facility licenses.

Proposed law defines "applicant", "bureau", "cannabis", "cannabis-infused products", "cannabis products", "commissioner", "criminal history record information", "cultivate", or "cultivating", "department", "FBI", "housing unit", "licensee", "licensure", "production facility", "retailer", and useable cannabis".

Proposed law requires applicants and subcontractors to undergo a state and national criminal background check and prohibits the department from issuing a license or approving a contract if the applicant, subcontractor, or any officer, director, or person with a 5% or more economic interest in the license has been convicted of or entered a guilty or nolo contendere plea for certain criminal offenses.

Proposed law requires each licensee to pay LDAF an annual license fee not to exceed \$100,000.

Proposed law allows for the transportation of cannabis and cannabis products in limited situations between licensees.

Proposed law provides for civil penalties up to \$50,000 per violation per day based upon ruling of the commissioner of agriculture.

Proposed law authorizes LDAF to issue annual personal cultivation permits to individuals to cultivate and possess cannabis plants for personal use.

Proposed law provides for a \$75 annual permit fee.

Proposed law prohibits selling cannabis plants grown under a personal cultivation permit.

Proposed law limits one permit per household and limits personal cultivation to areas that are screened from public view and have restricted access to minors.

Proposed law clarifies that proposed law does not interfere with the rights of medical marijuana

patients or licensed medical marijuana production facilities.

Proposed law requires the commissioner of the office of alcohol and tobacco control to issue cannabis retailer permits and requires such a permit prior to selling cannabis or cannabis products. Specifies that the retailer permit is valid for a two-year period, and the retailer permit fee shall not exceed one thousand dollars per year, subject to administrative rule.

Proposed law requires applicants for a retailer permit to be at least 21 years of age or older, and prohibits them from being convicted of any offense involving a schedule I narcotic, provided the offense was not marijuana related.

Proposed law restricts retail locations from being located in a "drug free zone."

Proposed law requires retailer to implement a tracking system for the sale of cannabis and cannabis products to all retail customers.

Proposed law includes additional restrictions, including the following prohibitions:

- (1) Selling more than one ounce of cannabis or cannabis products to any individual per calendar day.
- (2) Selling cannabis or cannabis products to persons under the age of 21. Requires certain forms of identification to be presented to the retailer.
- (3) Selling cannabis or cannabis products on the internet.
- (4) Giving away or selling any consumable that is not cannabis or cannabis products, including but not limited to, tobacco and alcohol products.

(Adds R.S. 3:4761-4771 and R.S. 26:940-945)