
HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Judiciary to Original House Bill No. 440
by Representative Nelson

1 AMENDMENT NO. 1

2 On page 1, line 3, after "47:1699.1" delete the comma "," and insert "through 1699.3,"

3 AMENDMENT NO. 2

4 On page 1, line 4, after "licenses;" and before "to provide" insert "to provide for penalties;"

5 AMENDMENT NO. 3

6 On page 1, line 9, after "47:1699.1" delete the comma "," and insert "through 1699.3,"

7 AMENDMENT NO. 4

8 On page 1, delete line 10 and insert the following:

9 "CHAPTER 20. CANNABIS LICENSE FEES AND PENALTIES"10 AMENDMENT NO. 511 On page 1, delete lines 12 through 16 and at the beginning of line 17, delete "B." and insert
12 "A."13 AMENDMENT NO. 614 On page 1, line 18, after "to R.S." delete "40:1058.5." and insert "26:954."15 AMENDMENT NO. 716 On page 2, delete lines 1 and 2 and at the beginning of line 3, delete "D." and insert the
17 following:18 "B. There shall be an annual fee for a personal cultivation license issued
19 pursuant to R.S. 26:958. The amount of the fee shall be one hundred dollars.
20 C."21 AMENDMENT NO. 822 On page 2, at the beginning of line 4, change "E." to "D."23 AMENDMENT NO. 924 On page 2, line 6, after "of 1950" delete the remainder of the line and delete line 7 and insert
25 a comma "," and "the excess fees shall"26 AMENDMENT NO. 1027 On page 2, line 9, after "distributions of" delete "tax collections pursuant to R.S. 47:1699.5"
28 and insert "taxes collected for sales regulated by Chapter 9 of Title 26 of the Louisiana
29 Revised Statutes of 1950"

1 AMENDMENT NO. 11

2 On page 2, delete lines 11 and 12 and insert the following:

3 §1699.2. Civil Penalties4 A. Each person who violates any provision of this Chapter or Chapter 9 of
5 Title 26 of the Louisiana Revised Statutes of 1950, or any rule adopted pursuant to
6 this Chapter or Chapter 9 of Title 26 of the Louisiana Revised Statutes of 1950, shall
7 be subject to a civil penalty of not more than fifty thousand dollars for each act of
8 violation and for each day of violation.9 B. Civil penalties may be assessed only by ruling of the commissioner of
10 alcohol and tobacco control based upon an adjudicatory hearing held in accordance
11 with the provisions of the Administrative Procedure Act, this Chapter, and Chapter
12 9 of Title 26 of the Louisiana Revised Statutes of 1950.13 §1699.3. Powers, duties, and responsibilities of commissioner14 In addition to the powers, duties, and authority otherwise vested in him by
15 law, the commissioner of alcohol and tobacco control shall:16 (1) Adopt rules in accordance with the Administrative Procedure Act to
17 implement the provisions of this Chapter.18 (2) Collect, administer, and disburse the proceeds of all fees, penalties, and
19 other monies required pursuant to this Chapter or Chapter 9 of Title 26 of the
20 Louisiana Revised Statutes of 1950.21 (3) Impose civil penalties for violations of orders issued pursuant to the
22 provisions of this Chapter or Chapter 9 of Title 26 of the Louisiana Revised Statutes
23 of 1950 or of the rules adopted pursuant to this Chapter or Chapter 9 of Title 26 of
24 the Louisiana Revised Statutes of 1950.25 (4) Institute civil proceedings to enforce his orders or rulings, collect any
26 fees, penalties, or costs due pursuant to this Chapter or Chapter 9 of Title 26 of the
27 Louisiana Revised Statutes of 1950, or to otherwise enforce the provisions of this
28 Chapter or Chapter 9 of Title 26 of the Louisiana Revised Statutes of 1950 or rules
29 adopted pursuant to this Chapter or Chapter 9 of Title 26 of the Louisiana Revised
30 Statutes of 1950.31 Section 2. This Act shall take effect and become operative if and when the
32 Act which originated as House Bill No. 699 of this 2021 Regular Session of the
33 Legislature is enacted and becomes effective."