

2020 Regular Session

HOUSE BILL NO. 491

BY REPRESENTATIVE ECHOLS

RESEARCH & DEVELOPMENT: Authorizes certain universities to conduct research and testing of state-regulated industrial hemp, CBD, and medical marijuana products

1 AN ACT

2 To amend and reenact R.S. 3:1465(F), 1468(A), 1469(A), 1471(C), and 1482(D) and (E) and
3 R.S. 40:1046(H)(2)(c), relative to state-regulated industrial hemp, cannabidiol, and
4 medical marijuana products; to authorize the University of Louisiana at Monroe to
5 engage in industrial hemp research; to authorize the Department of Agriculture and
6 Forestry and the Department of Health to contract with certain state universities to
7 engage in testing of state-regulated industrial hemp, cannabidiol, and medical
8 marijuana crops and products; to add the University of Louisiana at Monroe to the
9 licensure and criminal penalty exemptions applicable to universities involved in
10 industrial hemp research; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 3:1465(F), 1468(A), 1469(A), 1471(C), and 1482(D) and (E) are
13 hereby amended and reenacted to read as follows:

14 §1465. Licensure

15 * * *

16 F. The provisions of this Section shall not apply to the Louisiana State
17 University Agricultural Center, ~~and the Southern University Agricultural Center,~~or

1 the University of Louisiana Monroe when performing research as provided for in
2 R.S. 3:1469.

3 * * *

4 §1482. CBD products; prohibitions; Louisiana Department of Health

5 * * *

6 D.(1) In addition to the registration requirements established by the
7 department, the application for registration shall include a certificate of analysis
8 containing the following information:

9 ~~(1)~~ (a) The batch identification number, date received, date of completion,
10 and the method of analysis for each test conducted.

11 ~~(2)~~ (b) Test results identifying the cannabinoid profile by percentage of dry
12 weight, solvents, pesticides, microbials, and heavy metals.

13 E. (2) The certificate of analysis required by ~~Subsection D of this Section~~
14 Paragraph (1) of this Subsection shall be completed by an independent laboratory
15 that meets the following criteria:

16 ~~(1)~~ (a) Is accredited as a testing laboratory approved by the department.

17 ~~(2)~~ (b) Has no direct or indirect interest in a grower, processor, or distributor
18 of hemp or hemp products.

19 E. The department may enter into contracts, cooperative endeavor
20 agreements, memoranda of understanding, or other agreements with any of the
21 following institutions for any independent testing of CBD products deemed
22 necessary by the secretary of the department:

23 (1) The Louisiana State University Agricultural Center.

24 (2) The Southern University Agricultural Center.

25 (3) The University of Louisiana at Monroe (ULM) or ULM in association
26 with the Edward Via College of Osteopathic Medicine located on the ULM campus.

27 * * *

28 Section 2. R.S. 40:1046(H)(2)(c) is hereby amended and reenacted to read as
29 follows:

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 491 Original

2020 Regular Session

Echols

Abstract: Provides authorizations relative to research and testing by certain state universities on state-regulated industrial hemp crops and products, cannabidiol (CBD) products, and marijuana for therapeutic use.

Present law (R.S. 3:1461 et seq.) authorizes the cultivation, processing, and transportation of industrial hemp in accordance with rules and regulations of the La. Department of Agriculture and Forestry.

Present law authorizes the La. State University Agricultural Center (LSU Ag Center) and the Southern University Agricultural Center (SU Ag Center) to cultivate, handle, and process industrial hemp and industrial hemp seeds for research and development of new varieties.

Proposed law retains present law and adds the University of La. at Monroe to those institutions that can conduct industrial hemp research.

Present law exempts the LSU Ag Center and the SU Ag Center from licensure requirements and criminal penalties of present law relative to industrial hemp seed producers, growers, and contract carriers when those institutions perform industrial hemp research as authorized by present law.

Proposed law retains present law and extends the exemption from licensure requirements and criminal penalties to the University of La. at Monroe when that institution performs industrial hemp research as authorized by proposed law.

Present law requires the La. Department of Agriculture and Forestry (LDAF) to test for the THC levels of industrial hemp crop prior to harvest and authorizes LDAF to test for THC levels of industrial hemp crops and products after harvest.

Proposed law retains present law and authorizes LDAF to contract with the following institutions for any testing of industrial hemp crop and industrial hemp products deemed necessary by the commissioner of agriculture:

- (1) The LSU Ag Center.
- (2) The SU Ag Center.
- (3) The University of La. at Monroe.

Present law (R.S. 3:1482) provides conditions and prohibitions relative to the processing and sale of cannabidiol (CBD) products. Provides for functions of the Louisiana Department of Health (LDH) with respect to registration and testing of CBD products.

Proposed law retains present law and authorizes LDH to contract with the following institutions for any independent testing of CBD products deemed necessary by the secretary of the department:

- (1) The LSU Ag Center.
- (2) The SU Ag Center.
- (3) The University of La. at Monroe.

Present law (R.S. 40:1046) provides that only the LSU Ag Center and the SU Ag Center may be licensed by the state to produce marijuana for therapeutic use. Authorizes each institution to conduct research on marijuana for therapeutic use if it is licensed as a production facility. Proposed law retains present law and adds authorization for the University of La. at Monroe to conduct research on marijuana for therapeutic use.

(Amends R.S. 3:1465(F), 1468(A), 1469(A), 1471(C), and 1482(D) and (E) and R.S. 40:1046(H)(2)(c))