

2021 Regular Session

HOUSE BILL NO. 440

BY REPRESENTATIVE NELSON

FEES/LICENSES/PERMITS: Levies fees for licenses and permits relative to cannabis

1 AN ACT

2 To enact Chapter 20 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 47:1699.1, relative to cannabis; to levy certain fees for certain
4 permits and licenses; to provide for the powers, duties, and authority of the
5 commissioner of alcohol and tobacco control; to provide for the disposition of fees;
6 to provide for effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 20 of Subtitle II of Title 47 of the Louisiana Revised Statutes of
9 1950, comprised of R.S. 47:1699.1, is hereby enacted to read as follows:

10 CHAPTER 20. CANNABIS LICENSE AND PERMIT FEES

11 §1699.1. Fees

12 A. There shall be an annual fee for a retailer permit issued pursuant to R.S.
13 26:942. The amount of the fee shall be established by rules promulgated by the
14 commissioner of alcohol and tobacco control pursuant to the provisions of the
15 Administrative Procedure Act but shall not exceed two thousand five hundred
16 dollars.

17 B. There shall be an annual fee for a cannabis business license issued
18 pursuant to R.S. 40:1058.5. The amount of the fee shall be two thousand five
19 hundred dollars.

1 C. There shall be an annual fee for a personal cultivation permit issued
2 pursuant to R.S. 40:1058.9. The amount of the fee shall be one hundred dollars.
3 D. The fees imposed pursuant to this Section are nonrefundable.
4 E. If the amount of fees collected pursuant to this Section in a fiscal year
5 exceeds the costs of enforcement and regulation pursuant to the provisions of
6 Chapter 9 of Title 26 of the Louisiana Revised Statutes of 1950 or Part XIII of
7 Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, the excess fees shall
8 be distributed to each municipality, sheriff, and parish and to the state in the same
9 proportion as the distributions of tax collections pursuant to R.S. 47:1699.5 for that
10 fiscal year.
11 Section 2. Becomes effective if and when House Bill No. ____ of this 2021 R.S. is
12 enacted and becomes effective.

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 440 Original

2021 Regular Session

Nelson

Abstract: Levies fees for certain licenses and permits relative to cannabis.

Proposed law levies an annual fee for a cannabis retailer permit in an amount established by rules promulgated by the commissioner of alcohol and tobacco control pursuant to the provisions of present law (Administrative Procedure Act), but provides that the fee cannot exceed \$2,500.

Proposed law levies an annual fee of \$2,500 for a cannabis business license.

Proposed law levies an annual fee of \$100 for a personal cultivation permit.

Proposed law provides that if the amount of fees collected pursuant to proposed law in a fiscal year exceeds the costs of enforcement and regulation, the excess fees shall be distributed proportionally to certain municipalities, sheriffs, parishes, and the state.

(Adds R.S. 47:1699.1)