
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Lebra R. Bias.

DIGEST

SB 198 Reengrossed

2023 Regular Session

Jackson

Present law requires the department to conduct an initial review of any product submitted pursuant to present law and to notify the submitting party of any deficiencies existing which prevent the approval of the product within 15 business days of the date of submission.

Proposed law retains present law.

Present law provides that if the department fails to notify the submitting party within the time period required by present law the product may be sold by a wholesaler or retailer permitted pursuant to present law from the day following the 15th business day until the submitting party receives final approval or denial from the department for the product.

Proposed law retains present law and requires the department to allow any product that is pending approval and is affixed with a pending approval sticker to be stored by the retailer or wholesaler in a separate storage area, without the product being confiscated pending the final approval or denial from the department.

Proposed law requires the department to allow the retailer or wholesaler five business days from the date of the denial notification to remove the product from store shelves and place the product in a separate offsite storage area.

Proposed law provides that the retailer or wholesaler shall have 30 calendar days from the date of the denial notification from the department, to return the product to the supplier or manufacturer. Proposed law further provides that any product not returned by the 30th calendar day shall be confiscated or destroyed at any time by the department.

Present law authorizes the commissioner to establish and collect an annual retail permit fee and an annual special event permit fee in an amount based on the cost of the regulatory functions performed and not exceed \$175 per year.

Proposed law retains present law and requires the commissioner to electronically notify each retailer, within five business days, of the legal status if consumable hemp products are declared illegal to sell in the state.

Proposed law provides the retailer or wholesaler shall have 30 calendar days from the date of the denial notification from the commissioner, to return the product to the supplier or manufacturer. Proposed law further provides that any product not returned by the 30th calendar day shall be confiscated or destroyed at any time by the commissioner if discovered on a permitted property.

Effective August 1, 2023.

(Amends R.S. 3:1483(G)(1) and 1484(C))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Removes proposed law requiring the retailer or wholesaler to submit proof of contacting the supplier or manufacturer to return the product within five business days of the date of the denial notification from the department.
2. Adds language to allow the retailer or wholesaler 30 calendar days from the date of the denial notification from the department to return the product to the supplier or manufacturer, and authorizes the department to confiscate or destroy any product not returned by the 30th calendar day.
3. Removes proposed law allowing the retailer six months after the day the commissioner receives the list, to sell the consumable hemp products identified in the detailed inventory list.
4. Adds language to allow the retailer or wholesaler 30 calendar days from the date of the denial notification from the commissioner, to return the product to the supplier or manufacturer, and authorizes the commissioner to confiscate or destroy any product not returned by the 30th calendar day if discovered on a permitted property.