2025 Regular Session

HOUSE BILL NO. 36

BY REPRESENTATIVES SCHLEGEL, BUTLER, DEVILLIER, DICKERSON, EDMONSTON, HORTON, MIKE JOHNSON, OWEN, THOMAS, AND VILLIO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana. LIABILITY/CIVIL: Provides relative to consumable hemp

1	AN ACT		
2	To amend and reenact R.S. 9:2800.62(2) and R.S. 9:2800.63(B)(1), relative to consumable		
3	hemp products; to expand the definition of illegal controlled substance; to provide		
4	for damages in certain circumstances; and to provide for related matters.		
5	Be it enacted by the Legislature of Louisiana:		
6	Section 1. R.S. 9:2800.62(2) and 2800.63(B)(1) are hereby amended and reenacted		
7	to read as follows:		
8	§2800.62. Definitions		
9	As used in this Chapter, unless the context requires otherwise:		
10	* * *		
11	(2) "Illegal controlled substance" means cocaine, phencyclidine, heroin, or		
12	methamphetamine, a consumable hemp product as defined in R.S. 3:1481 in		
13	violation of R.S. 3:1482 et seq., and any other illegal controlled dangerous substance		
14	the possession or distribution of which is a violation of the Uniform Controlled		
15	Dangerous Substances Law, R.S. 40:961 et seq.		
16	* * *		
17	§2800.63. Action for damages by persons other than the individual user		
18	* * *		
19	B. A person entitled to bring an action pursuant to Subsection A of this		
20	Section may seek damages from one or more of the following:		

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

- 1 (1) A person who sold, administered, or furnished an illegal controlled
- 2 substance to the individual user or consumable hemp as defined by R.S. 3:1481 to
- 3 <u>a person under the age of twenty-one</u>.
- 4 * *

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 36 Reengrossed	2025 Regular Session	Schlegel
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Abstract: Adds consumable hemp to the La. Drug Dealer Liability Act.

<u>Present law</u> (R.S. 9:2800.62(2)) defines "illegal controlled substance" as cocaine, phencyclidine, heroin, or methamphetamine, and any other illegal controlled dangerous substance the possession or distribution of which is a violation <u>present law</u>.

<u>Proposed law</u> expands the definition of "illegal controlled substance" to include consumable hemp product as defined in R.S. 3:1481 (any product derived from industrial hemp that contains any cannabinoid, including cannabidiol or THC, and is intended for consumption or topical use) when it is in violation of R.S. 3:1482 (prohibitions) and other provisions of present law.

<u>Present law</u> (R.S. 9:2800.63(A)) provides a list of people who have a cause of action for damages caused by an individual's use of an illegal controlled substance. <u>Present law</u> (R.S. 9:2800.63(B)) also provides the circumstances which give rise to that cause of action.

<u>Proposed law</u> includes an action for damages when a person sells, administers, or furnishes consumable hemp to a person under the age of 21.

(Amends R.S. 9:2800.62(2) and 2800.63(B)(1))

Summary of Amendments Adopted by House

- The Committee Amendments Proposed by <u>House Committee on Civil Law and</u> <u>Procedure to the original bill:</u>
- 1. Make technical changes.
- 2. Clarify that there is an action for damages when a person sells, administers, or furnishes consumable hemp to a person under the age of 21.