

GREEN SHEET REDIGEST

HB 12

2025 Regular Session

Schlegel

CRIME/MISDEMEANOR: Provides relative to the sale of consumable hemp products.

DIGEST

Proposed law creates the crime of selling, distributing, dispensing, or otherwise delivering consumable hemp products to a person under the age of 21. Proposed law sets the penalty for violations at not less than \$500 nor more than \$1,000, or not less than 30 days nor more than six months imprisonment, or both.

Proposed law creates the crime of purchase or public possession of consumable hemp products by a person under 21 years of age. Proposed law provides that the penalty for violations shall be a citation and a \$100 fine. Proposed law provides that the citation shall not be included on the person's criminal history record.

Present law provides that the Uniform Controlled Dangerous Substances Law does not apply to consumable hemp products.

Proposed law specifies which products are not affected by the Uniform Controlled Dangerous Substances Law. Proposed law provides that transporting federally compliant hemp products within the state shall not be prohibited.

Proposed law creates the crime of producing, manufacturing, distributing, dispensing, or possessing with intent to produce, manufacture, distribute, or dispense consumable hemp products to anyone when not in accordance with regulations of present law.

Proposed law sets the penalty for violations at not more than \$50,000, or one year to 10 years imprisonment with or without hard labor, or both.

Proposed law provides that a processor, wholesaler, or retailer who has applied for renewal of an expired permit, and whose renewal was under review by the La. Dept. of Health or the La. Dept. of Public Safety and Corrections, office of alcohol and tobacco control for 45 days or less prior to an alleged violation, will have an affirmative defense to prosecution for a violation of proposed law if the sole basis for prosecution is that his permit was expired at the time of the alleged violation.

(Amends R.S. 40:961.1 and 966(A)(3); Adds R.S. 14:93.16 and 93.17 and R.S. 40:966(A)(4) and (B)(4))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Make technical changes.
2. Change the fine for selling consumable hemp to a minor from \$1,000-\$2,000 to \$500-\$1,000.

The House Floor Amendments to the engrossed bill:

1. Add that a processor, wholesaler, or retailer acting in good faith in accordance with present law is not subject to the penalties in proposed law.
2. Add technical amendments.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the
reengrossed bill

1. Make technical changes.
2. Remove an exemption from proposed law for certain persons and provide for an affirmative defense in certain circumstances.