

Regular Session, 2014

SENATE BILL NO. 257

BY SENATOR MILLS

CONTROL DANGER SUBSTANCE. Provides relative to sentencing for certain activities related to the unlawful manufacture of a controlled dangerous substance. (8/1/14)

AN ACT

To amend and reenact R.S. 40:983(D) and to enact R.S. 40:983(E), relative to controlled dangerous substances; to provide penalties for certain activities relative to the creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:983(D) is hereby amended and reenacted and R.S. 40:983(E) is hereby enacted to read as follows:

§983. Creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance; definition; penalties

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**D. On a first offense for violation of this Section by purchasing or transporting any material, compound, mixture, preparation, supplies, equipment, or structure with the intent that it be used for the unlawful manufacture of a controlled dangerous substance, with no further involvement by the offender in the creation or operation of a clandestine laboratory, the**

1        **offender shall be imprisoned for not more than six months, or fined not more**  
2        **than five hundred dollars, or both.**

3                **E.** In addition to the penalty provided in Subsection C of this Section, a  
4        person convicted under the provisions of this Section may be ordered to make  
5        restitution for the actual governmental cost incurred in the cleanup of any hazardous  
6        waste resulting from the operation of a laboratory for the unlawful manufacture of  
7        a controlled dangerous substance. The court may order that such amount be paid  
8        directly to the governmental agency or agencies that actually incurred the cleanup  
9        expense.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Alden A. Clement Jr.

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#### DIGEST

##### Mills (SB 257)

Present law provides relative to the crime of creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance.

Present law provides penalties for the purchase, sale, distribution, possession, transportation, or disposal of any material, compound, mixture, preparation, supplies, equipment, or structure with the intent that it be used for the unlawful manufacture of a controlled dangerous substance.

Proposed law retains present law and adds that on a first offense for violation of present law for transporting any material, compound, mixture, preparation, supplies, equipment, or structure with the intent that it be used for the unlawful manufacture of a controlled dangerous substance, but with no further involvement by the offender in the creation or operation of a clandestine laboratory, the offender is to be imprisoned for up to six months, or fined up to \$500, or both.

Effective August 1, 2014.

(Amends R.S. 40:983(D); adds R.S. 40:983(E))