

2021 Regular Session

HOUSE BILL NO. 652

BY REPRESENTATIVE GLOVER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CONTROLLED SUBSTANCES: Provides relative to penalties for possession of marijuana

1 AN ACT

2 To amend and reenact R.S. 40:966(C)(2)(a), relative to marijuana; to provide relative to
3 penalties for possession of marijuana; to amend criminal penalties for a first or
4 subsequent conviction of possession of marijuana; to provide relative to penalties for
5 the possession of certain amounts; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:966(C)(2)(a) is hereby amended and reenacted to read as follows:

8 §966. Penalty for distribution or possession with intent to distribute narcotic drugs
9 listed in Schedule I; possession of marijuana, synthetic cannabinoids, and
10 heroin

11 * * *

12 C. Possession. It is unlawful for any person knowingly or intentionally to
13 possess a controlled dangerous substance classified in Schedule I unless such
14 substance was obtained directly, or pursuant to a valid prescription or order, from a
15 practitioner or as provided in R.S. 40:978, while acting in the course of his
16 professional practice, or except as otherwise authorized by this Part. Any person
17 who violates this Subsection with respect to:

18 * * *

19 (2) A substance classified in Schedule I that is marijuana,
20 tetrahydrocannabinol, or chemical derivatives thereof, shall be punished as follows:

Proposed law further provides that if an offender upon whom a fine has been imposed alleges indigency, or otherwise fails to pay the imposed fine, the court shall determine whether the defendant has willfully refused to pay or has made bona fide efforts to legally acquire resources to pay. If an offender has not willfully refused to pay and has made bona fide efforts to attempt to pay the fine imposed, the court shall use its discretion to alternatives, including installment payments or community service.

Proposed law provides for enforcement of proposed law by use of summons.

(Amends R.S. 40:966(C)(2)(a))