
DIGEST

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HB 553 Original

2022 Regular Session

McKnight

Abstract: Provides for suitability requirements, based upon criminal history record information, for contractors of licensed producers of medical marijuana.

Present law provides for a process by which the La. Dept. of Agriculture and Forestry (LDAF) determines the suitability of applicants for licensure as a medical marijuana production facility.

Proposed law revises present law to provide instead for a process by which LDAF determines the suitability, based upon criminal history record information, of certain persons associated with contractors of licensed producers of medical marijuana.

Proposed law retains certain provisions of present law authorizing LDAF to obtain the criminal history record information of persons involved with production of medical marijuana.

Proposed law provides that LDAF shall issue a permit to an applicant unless he has been convicted of any of the following offenses in any jurisdiction when the conviction occurred either within ten years of the permit application date or when less than ten years have elapsed between the application date and the date of successful completion or service of any sentence, deferred adjudication, or probation or parole period:

- (1) Any offense punishable by imprisonment for more than one year.
- (2) Theft or any crime involving false statements or declarations.
- (3) A crime of violence as defined by R.S.14:2(B).
- (4) Any offense involving Schedule I narcotics, except for possession of marijuana, tetrahydrocannabinol, or chemical derivatives thereof, where the offender was not imprisoned for more than one year. Proposed law provides, however, that this exception shall not apply to a substance classified in Schedule I that is a synthetic cannabinoid.

Proposed law stipulates that nothing therein shall be construed to require a permittee to resubmit a criminal background check upon permit renewal; requires, however, that each permittee notify the contractor and LDAF if, while he holds a permit, he is arrested for, or is issued a summons, citation, or charge relating to, any offense enumerated in proposed law.

Proposed law authorizes LDAF to deny, suspend, or revoke any permit issued pursuant to proposed

law when a permit holder no longer meets the requirements of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 40:1047)