

RÉSUMÉ DIGEST

ACT 628 (HB 553)

2022 Regular Session

McKnight

Prior law provided 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 by way of fingerprinting and conducting state and federal background checks through the La. State Police and Federal Bureau of Investigation.

New law removes the LDAF as the regulatory agency to determine suitability and prohibits any government agency from requiring a suitability check as a condition for licensure or permitting as an applicant or contractor to produce marijuana for therapeutic use.

New law requires the employees of a contractor to submit to a criminal background check conducted by the regulatory agency over licensees for the production of recommended marijuana for therapeutic use or a private entity in order to be permitted to work.

New law adds the term "contractor" and defines it as any person, partnership, joint venture, limited liability company, corporation, association, joint stock association, sole proprietorship, trust, other business entity, or juridical person whether incorporated or not selected by either the LSU AgCenter or the Southern Univ. AgCenter through a competitive bid process to cultivate, extract, process, produce, and transport therapeutic marijuana.

New law repeals prior law as it pertains to the process, procedures, and fees for obtaining fingerprints, conducting background checks, and accessing reports provided by La. State Police. New law repeals the terms and definitions of "criminal history record information", "department", "FBI", and "licensure".

New law authorizes contractors to still conduct background checks for the purpose of hiring employees.

Effective upon signature of governor (June 18, 2022).

(Amends R.S. 40:1047(A)(intro. para.) and (2), (B), and (C); Repeals R.S. 40:1047(A)(3)-(6), (D), and (E))