
SENATE COMMITTEE AMENDMENTS

2015 Regular Session

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 241
by Senator Morrell

1 AMENDMENT NO. 1

2 On page 1, line 2, change "982" to "(F)" and delete "and to enact R.S. 40:966(I),"

3 AMENDMENT NO. 2

4 On page 1, line 4, change "twenty-eight" to "fourteen"

5 AMENDMENT NO. 3

6 On page 1, delete lines 5 and 6 and insert the following:

7 "to provide relative to penalties for possession of marijuana when the amount possessed is
8 fourteen grams or more, but less than two and one-half pounds; to provide relative to a
9 cleansing period for certain offenses; to provide relative to the possession of more than two
10 and one-half pounds and less than sixty pounds of marijuana; and to provide for related
11 matters."

12 AMENDMENT NO. 4

13 On page 1, line 8, change "982" to "(F)" and at the end of the line delete "and R.S."

14 AMENDMENT NO. 5

15 On page 1, delete line 9, and insert "to read as follows:"

16 AMENDMENT NO. 6

17 On page 1, delete line 14, and insert "E.(1) Possession of marijuana, ~~or synthetic~~
18 ~~cannabinoids.~~ (1)(a) Except as provided"

19 AMENDMENT NO. 7

20 On page 1, line 15, change "Subsections E, F, and I" to "Subsection F" and delete "first"

21 AMENDMENT NO. 8

22 On page 1, line 17, delete "or synthetic cannabinoids" and delete "fined" and insert the
23 following:

24 "punished as follows:

25 (i) On a first conviction, wherein the offender possesses fourteen grams
26 or less, the offender shall be fined not more than three hundred dollars and
27 imprisoned in the parish jail for not more than fifteen days.

28 (ii) On a first conviction, wherein the offender possesses more than
29 fourteen grams, but less than two and one-half pounds, the offender shall be
30 fined not more than five hundred dollars and imprisoned in the parish jail for
31 not more than six months.

32 (iii) For the purposes of this Subparagraph, a prior conviction shall not
33 include a violation of the provisions of Items (i) and (ii) of this Subparagraph
34 if more than two years have elapsed since the person completed any sentence,
35 deferred adjudication, or period of probation or parole based on the conviction,
36 and the person has not been convicted of any other violation of the Uniform

1 Controlled Dangerous Substances Act during the two year period, and has no
2 criminal charge pending against him."

3 AMENDMENT NO. 9

4 On page 2, delete lines 1 and 2

5 AMENDMENT NO. 10

6 On page 2, at the beginning of line 3, change "(2)(a)" to "**(b)**" and change "Subsections F,
7 G, and I" to "Subsection F"

8 AMENDMENT NO. 11

9 On page 2, at the end of line 5, delete "or"

10 AMENDMENT NO. 12

11 On page 2, at the beginning of line 6, delete "synthetic cannabinoids" and after "fined not"
12 delete the remainder of the line and insert: "more than one thousand dollars, imprisoned
13 in the parish jail for not more than six months, or both"

14 AMENDMENT NO. 13

15 On page 2, delete lines 7 through 12

16 AMENDMENT NO. 14

17 On page 2, at the beginning of line 13, change "(3)" to "**(c)(i)**" and change "Subsections F,
18 G, and I" to "Subsection F"

19 AMENDMENT NO. 15

20 On page 2, line 16, delete "or synthetic cannabinoids"

21 AMENDMENT NO. 16

22 On page 2, line 17, after "more than" delete the remainder of the line and insert:

23 "two years and shall be fined not more than two thousand five hundred dollars."

24 AMENDMENT NO. 17

25 On page 2, delete line 18, and insert the following:

26 "(ii) If the court places the offender on probation, the probation shall
27 provide for a minimum condition that he participate in a court-approved
28 substance abuse program and perform four eight-hour days of court-approved
29 community service activities. Any costs associated with probation shall be paid
30 by the offender.

31 (d)(i) Except as provided in Subsection F of this Section, on a fourth or
32 subsequent conviction for violation of Subsection C of this Section with regard
33 to marijuana, tetrahydrocannabinol or chemical derivatives thereof, the
34 offender shall be sentenced to imprisonment with or without hard labor for not
35 more than eight years, and shall be fined not more than five thousand dollars.

36 (ii) If the court places the offender on probation, the probation shall
37 provide for a minimum condition that he participate in a court-approved
38 substance abuse program and perform four eight-hour days of court-approved
39 community service activities. Any costs associated with probation shall be paid
40 by the offender."

41

1 AMENDMENT NO. 18

2 On page 2, at the beginning of line 19, change "(4)" to "(e)" and change "966(I)" to
3 "966(E)(1)(a)(iii)"

4 AMENDMENT NO. 19

5 On page 2, line 22, delete "or synthetic cannabinoids"

6 AMENDMENT NO. 20

7 On page 2, delete lines 25 through 29 and insert:

8 "(5) (f) A Except as provided in R.S. 40:966(E)(1)(a)(iii), a conviction for
9 the violation of any other statute or ordinance with the same elements as R.S.
10 40:966(B)(3) prohibiting the distributing or dispensing or possession with intent to
11 distribute or dispense marijuana, of marijuana, tetrahydrocannabinol or chemical
12 derivatives thereof, or synthetic cannabinoids shall be considered as a prior
13 conviction for the purposes of this Subsection relating to penalties for second, third,
14 or subsequent offenders.

15 (g) If the court places the offender on probation, the probation shall
16 provide for a minimum condition that he participate in a court-approved
17 substance abuse program and perform four eight-hour days of court-approved
18 community service activities. Any costs associated with probation shall be paid
19 by the offender.

20 (2) Possession of synthetic cannabinoids. (a) Except as provided in
21 Subsections F and G of this Section, on a first conviction for violation of
22 Subsection C of this Section with regard to synthetic cannabinoids, the offender
23 shall be fined not more than five hundred dollars, imprisoned for not more than
24 six months, or both.

25 (b) Except as provided in Subsections F and G of this Section, on a
26 second conviction for violation of Subsection C of this Section with regard to
27 synthetic cannabinoids, the offender shall be fined not less than two hundred
28 fifty dollars nor more than two thousand dollars, imprisoned with or without
29 hard labor for not more than five years, or both.

30 (c) Except as provided in Subsections F and G of this Section, on a third
31 or subsequent conviction for violation of Subsection C of this Section with
32 regard to synthetic cannabinoids, the offender shall be sentenced to
33 imprisonment with or without hard labor for not more than twenty years, and
34 may, in addition, be fined not more than five thousand dollars.

35 (d) A conviction for the violation of any other provision of law or
36 ordinance with the same elements as Subsection C of this Section prohibiting
37 the possession of synthetic cannabinoids shall be considered a prior conviction
38 for the purposes of this Paragraph relating to penalties for second, third, or
39 subsequent offenses.

40 (e) A conviction for the violation of any other provision of law or
41 ordinance with the same elements as Paragraph (B)(3) of this Section
42 prohibiting the distributing or dispensing or possession with intent to distribute
43 or dispense synthetic cannabinoids shall be considered a prior conviction for the
44 purposes of this Paragraph relating to penalties for second, third, or subsequent
45 offenses.

46 (f) If the court places the offender on probation, the probation shall
47 provide for a minimum condition that he participate in a court-approved
48 substance abuse program and perform four eight-hour days of court-approved
49 community service activities. Any costs associated with probation shall be paid
50 by the offender.

51 F. Except as otherwise authorized in this Part:
52 (1) Any person who knowingly or intentionally possesses two and one
53 half pounds or more, but less than sixty pounds of marijuana,
54 tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids
55 shall be sentenced to serve a term of imprisonment at hard labor of not less than

two years, nor more than ten years, and to pay a fine of not less than ten thousand dollars nor more than thirty thousand dollars.

(2) Any person who knowingly or intentionally possesses sixty pounds or more, but less than two thousand pounds of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less than five years, nor more than thirty years, and to pay a fine of not less than fifty thousand dollars nor more than one hundred thousand dollars.

~~(2)~~ **(3)** Any person who knowingly or intentionally possesses two thousand pounds or more, but less than ten thousand pounds of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less than ten years nor more than forty years, and to pay a fine of not less than one hundred thousand dollars nor more than four hundred thousand dollars.

~~(3)~~ **(4)** Any person who knowingly or intentionally possesses ten thousand pounds or more of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less than twenty-five years, nor more than forty years and to pay a fine of not less than four hundred thousand dollars nor more than one million dollars.

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AMENDMENT NO. 21

On page 3, delete lines 1 through 29 and on page 4, delete line 1