

2016 Regular Session

HOUSE BILL NO. 267

BY REPRESENTATIVE GREGORY MILLER

CONTROLLED SUBSTANCES: Decreases criminal penalties for certain offenses involving drug paraphernalia

1 AN ACT

2 To amend and reenact R.S. 40:1025(A), (B), and (C), relative to penalties for transactions  
3 involving drug paraphernalia; to amend the penalty provisions for such offenses; and  
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1025(A), (B), and (C) are hereby amended and reenacted to read  
7 as follows:

8 §1025. Penalties

9 A.(1) The first violation of or failure to comply with any provision of this  
10 Part shall subject the offender to a fine not in excess of ~~five~~ three hundred dollars,  
11 or imprisonment of not more than ~~six months~~ fifteen days, or both.

12 (2) Any person who has been convicted of a violation of the provisions of  
13 this Subsection and who has not been convicted of any violation of the controlled  
14 dangerous substances law for a period of two years from the date of completion of  
15 sentence, probation, parole, or suspension of sentence shall not be eligible to have  
16 the conviction used as a predicate conviction for enhancement purposes. The  
17 provisions of this Paragraph shall occur only once with respect to any person.

18 B. On a second conviction, the offender shall be fined not more than one  
19 thousand dollars, or imprisoned for not more than ~~one year~~ six months, or both.

