
DIGEST

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HB 224 Original

2018 Regular Session

Marino

Abstract: Reduces criminal penalties for certain offenses involving drugs which are not controlled substances but require a prescription (legend drugs).

Present law defines a "legend drug" as any drug bearing a label required by the FDA which states: "Caution: Federal law prohibits dispensing without prescription."

Present law provides that it shall be unlawful for any person to sell, deliver, or possess any legend drug except upon the order or prescription of a physician or licensed health care practitioner.

Present law provides that it shall be unlawful for any person knowingly or intentionally to acquire or obtain possession of a legend drug by misrepresentation, fraud, forgery, deception or subterfuge.

Proposed law retains these present law crimes.

Present law provides penalties for the commission of these offenses including imprisonment, with or without hard labor, for not more than five years and a fine of not more than \$5,000.

Proposed law reduces these penalty provisions to include imprisonment for not more than six months, a fine of not more than \$500, or both.

(Amends R.S. 40:1060.13 and 1060.15(B))