

2021 Regular Session

HOUSE BILL NO. 472

BY REPRESENTATIVE MARINO AND SENATOR CONNICK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MEDICAL MARIJUANA: Provides relative to specialty licenses for the production of medical marijuana and the Jefferson Parish Economic Development Commission

1 AN ACT

2 To amend and reenact R.S. 40:1046(H)(2)(a) through (c), relative to therapeutic marijuana;
3 to provide for production facility licensing; to provide for research and reporting
4 requirements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1046(H)(2)(a) through (c) are hereby amended and reenacted to
7 read as follows:

8 §1046. Recommendation and dispensing of marijuana for therapeutic use; rules and
9 regulations of the Louisiana State Board of Medical Examiners and
10 Louisiana Board of Pharmacy; production facility licensing by the
11 Department of Agriculture and Forestry

12 * * *

13 H.

14 * * *

15 (2)(a) The Department of Agriculture and Forestry shall develop an annual,
16 nontransferable specialty license for the production of recommended marijuana for
17 therapeutic use. Other than the licenses granted pursuant to Subparagraph (b) of this
18 Paragraph, the Department of Agriculture and Forestry shall limit the number of such
19 licenses granted in the state to no more than one licensee. The Louisiana State
20 University Agricultural Center, ~~and the Southern University Agricultural Center, and~~

1 the Jefferson Parish Economic Development Commission shall have the right of first
2 refusal to be licensed as the production facility, either separately or jointly. If ~~neither~~
3 ~~of the centers~~ none of the parties with a right of first refusal exercise this option or
4 if all of the parties relinquish their license, the license shall be awarded pursuant to
5 the requirements provided for in Paragraphs (3) through (5) of this Subsection.

6 (b)(i) Prior to September 1, 2016, the Louisiana State University Agricultural
7 Center and the Southern University Agricultural Center shall each provide written
8 notice to the commissioner of agriculture and forestry of their intent to be licensed
9 as a production facility, either separately or jointly.

10 (ii) Prior to September 1, 2021, the Jefferson Parish Economic Development
11 Commission shall provide written notice to the commissioner of agriculture and
12 forestry of their intent to be licensed as a production facility, either separately or
13 jointly.

14 (c)(i) The Louisiana State University Agricultural Center or the Southern
15 University Agricultural Center may conduct research on marijuana for therapeutic
16 use if the center is licensed as a production facility pursuant to this Section.
17 Effective January 1, 2020, and annually thereafter, the Louisiana State University
18 Agricultural Center and the Southern University Agricultural Center shall submit a
19 report to the Senate and House committees on health and welfare, to include data and
20 outcomes of the research conducted pursuant to this Paragraph.

21 (ii) The Jefferson Parish Economic Development Commission may conduct,
22 either directly or through a cooperative endeavor agreement with any university,
23 school of pharmacy, or licensed hospital in the state, research on marijuana for
24 therapeutic use if licensed as a production facility pursuant to this Section. Effective
25 January 1, 2025, and annually thereafter, the Jefferson Parish Economic
26 Development Commission shall submit a report to the Senate and House committees
27 on health and welfare, to include data and outcomes of the research conducted
28 pursuant to this Paragraph.

29 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 472 Original

2021 Regular Session

Marino

Abstract: Authorizes the Jefferson Parish Economic Development Commission (JEDCO) to be a licensed production facility for therapeutic marijuana and to conduct research on marijuana for therapeutic uses.

Present law provides the LSU Ag Center and Southern University Ag Center with a right of first refusal to become a licensed production facility, jointly or separately, for therapeutic marijuana in the state and gives them until Aug. 31, 2016 to notify the commissioner of agriculture of their intention to become licensed.

Proposed law retains present law and adds the JEDCO as an authorized entity to have a right of first refusal to become a licensed production facility and gives the JEDCO until Aug. 31, 2021 to notify the commissioner of agriculture of their intention.

Present law requires the La. Dept. of Agriculture and Forestry (LDAF), in the event the entities granted a right of first refusal to become a licensed production facility do not exercise their right, to issue no more than one production facility license in the state through state open bid law.

Proposed law adds that in the event all of the licensed production facilities relinquish their license then the LDAF will issue a license through state open bid law.

Proposed law authorizes the JEDCO to conduct research, directly or through a cooperative endeavor agreement with a university, school of pharmacy, or hospital, on marijuana for therapeutic purposes if a licensed production facility. Proposed law requires the JEDCO to submit an annual report, effective Jan. 1, 2025, to the Senate and House committees on health and welfare on the data and outcomes of their research.

(Amends R.S. 40:1046(H)(2)(a)-(c))