

2022 Regular Session

HOUSE BILL NO. 700

BY REPRESENTATIVE BAGLEY

CONTROLLED SUBSTANCES: Provides relative to penalties for possession of marijuana for people under the age of 18

1 AN ACT

2 To enact R.S. 40:966.1, relative to marijuana; to provide relative to penalties for possession
3 of marijuana for persons under eighteen years of age; to provide relative to penalties
4 for the possession of certain amounts; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:966.1 is hereby enacted to read as follows:

7 §966.1. Penalty for possession of marijuana for persons under eighteen

8 A. Notwithstanding any provision in this Title to the contrary, any person
9 under eighteen years of age who possesses a substance classified in Schedule I that
10 is marijuana, tetrahydrocannabinol, or chemical derivatives thereof, shall be
11 punished as follows:

12 (1)(a) On a first conviction, wherein the person possesses fourteen grams or
13 less, the person shall be placed on probation or any other dispositional alternative,
14 or imprisoned for not more than fifteen days.

15 (b) On a first conviction, wherein the person possesses more than fourteen
16 grams, the person shall be placed on probation or any other dispositional alternative,
17 or imprisoned for not more than six months.

18 (2) On a second conviction, the person shall be placed on probation or any
19 other dispositional alternative, or imprisoned for not more than six months.

1 (3) On a third conviction, the person shall be placed on probation or any
 2 other dispositional alternative, or sentenced to imprisonment, with or without hard
 3 labor, for not more than two years.

4 (4) On a fourth or subsequent conviction, the person shall be placed on
 5 probation or any other dispositional alternative, or sentenced to imprisonment, with
 6 or without hard labor, for not more than four years.

7 B. Any person under eighteen years of age who is a patient of the state-
 8 sponsored medical marijuana program in Louisiana and possesses medical marijuana
 9 in a form permissible under R.S. 40:1046 for a condition enumerated therein shall
 10 not be subject to the provisions of this Section.

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 700 Engrossed

2022 Regular Session

Bagley

Abstract: Provides relative to penalties for possession of certain amounts of marijuana for a person under the age of 18.

Proposed law provides that a person under the age of 18 who possesses marijuana shall be punished as follows:

- (1) (a) On a first conviction, wherein the person possesses 14 grams or less, the person shall be placed on probation or any other dispositional alternative, or imprisoned for not more than 15 days.
- (b) On a first conviction, wherein the person possesses more than 14 grams, the person shall be placed on probation or any other dispositional alternative, or imprisoned for not more than six months.
- (2) On a second conviction, the person shall be placed on probation or any other dispositional alternative, or imprisoned for not more than six months.
- (3) On a third conviction, the person shall be placed on probation or any other dispositional alternative, or sentenced to imprisonment, with or without hard labor, for not more than two years.
- (4) On a fourth or subsequent conviction, the person shall be placed on probation or any other dispositional alternative, or sentenced to imprisonment, with or without hard labor, for not more than four years.

Proposed law further provides that any person under 18 years of age who is a patient of the state-sponsored medical marijuana program and possesses medical marijuana in a form permissible under present law (R.S. 40:1046) shall not be subject to proposed law.

(Adds R.S. 40:966.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Make technical corrections.
2. Exempt persons under 18 years of age who are patients of the state-sponsored medical marijuana program and possess medical marijuana in a form permissible under present law from proposed law.