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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Lebra R. Bias.

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DIGEST

SB 198 Engrossed

2023 Regular Session

Jackson

Present law requires the department to conduct an initial review of any product submitted pursuant to present law and to notify the submitting party of any deficiencies existing which prevent the approval of the product within 15 business days of the date of submission.

Proposed law retains present law.

Present law provides that if the department fails to notify the submitting party within the time period required by present law the product may be sold by a wholesaler or retailer permitted pursuant to present law from the day following the 15th business day until the submitting party receives final approval or denial from the department for the product.

Proposed law retains present law and requires the department to allow any product that is pending approval and is affixed with a pending approval sticker to be stored by the retailer or wholesaler in a separate storage area, without the product being confiscated pending the final approval or denial from the department.

Proposed law requires the department to allow the retailer or wholesaler five business days from the date of the denial notification to submit proof that the supplier or manufacturer was contacted to return the product. Failure to submit proof by the sixth business day results in the product being confiscated or destroyed at anytime.

Proposed law requires that if the retailer or wholesaler has submitted proof to the department that the supplier or manufacturer was contacted, then the product shall be removed from the storage area and returned to the supplier or manufacturer within 30 calendar days of the date of the denial notification from the department. Any product not returned by the 30th calendar day shall be confiscated or destroyed at any time.

Present law authorizes the commissioner to establish and collect an annual retail permit fee and an annual special event permit fee in an amount based on the cost of the regulatory functions performed and not exceed \$175 per year.

Proposed law retains present law and requires the commissioner to electronically notify each retailer, within five business days, of the legal status if consumable hemp products are declared illegal to sell in the state.

Proposed law provides that after submitting the detailed inventory list to the commissioner, each retailer shall have six months, after the day the commissioner receives the list, to sell the consumable hemp products identified in the detailed inventory list.

Effective August 1, 2023.

(Amends R.S. 3:1483(G)(1) and 1484(C))