

**HOUSE COMMITTEE AMENDMENTS**

2023 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 94 by Senator Kleinpeter

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert the following:

"enact R.S. 14:91.10 and Chapter 5-G of Title 40, to be comprised of R.S. 40:1300.51 through 1300.53, and to repeal Act No. 231 of the 2019 Regular Session of the"

AMENDMENT NO. 2

On page 1, line 3, after "Law;" delete the remainder of the line, delete line 4 in its entirety and at the beginning of line 5, delete "Law;" and insert the following:

"to provide relative to mitragynine speciosa; to prohibit the sale or distribution of mitragynine speciosa to persons under the age of twenty-one; to provide relative to local ordinances with respect to mitragynine speciosa;"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:

"Section 1. R.S. 14:91.10 is hereby enacted to read as follows:

**§91.10. Unlawful sale or distribution of mitragynine speciosa to persons under age twenty-one; penalty**

**A. No person shall sell or distribute or cause to be sold or distributed a product containing mitragynine speciosa to any person under the age of twenty-one.**

**B. For purposes of this Section, "mitragynine speciosa" means a product containing either or both of the following:**

**(a) Mitragynine.**

**(b) 7-Hydroxy-mitragynine.**

**C. Whoever violates the provisions of this Section shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both.**

Section 2. Part VI of Chapter 5-G of Title 40, comprised of R.S. 40:1300.51 through 1300.53, is hereby enacted to read as follows:

**PART VI. LOCAL OPTION FOR CONTROL OF MITRAGYNINE SPECIOSA**

**§1300.51. Short title**

**This Part shall be known and may be cited as the "Local Option for Mitragynine Speciosa".**

**§1300.52. Definitions**

**As used in this Part, the following terms have the following meanings ascribed to them unless the context clearly indicates otherwise:**

**(1) "Local government" means a parish or municipality, as provided pursuant to Article VI, Part I, Sections 1 and 2 of the Constitution of Louisiana.**

1                   **(2) "Mitragynine speciosa" shall have the same meaning as defined in**  
2                   **R.S. 14:91.10.**

3                   **§1300.53. Local government prohibition or regulation**  
4                   **Notwithstanding any other provision of law to the contrary, a local**  
5                   **government may enact an ordinance to prohibit the sale or distribution of**  
6                   **mitragynine speciosa products or to regulate the sale or distribution of**  
7                   **mitragynine speciosa products in a manner that is more restrictive than**  
8                   **provided for in R.S. 14:91.10."**

9                   AMENDMENT NO. 4

10                  On page 1, delete lines 7 and 8 in their entirety and insert the following:

11                   "Section 3. Act No. 231 of the 2019 Regular Session of the Legislature is hereby  
12                  repealed in its entirety."