

2023 Regular Session

HOUSE BILL NO. 645 (Substitute for House Bill No. 106 by Representative Dustin Miller)

BY REPRESENTATIVES DUSTIN MILLER AND WHEAT

1 AN ACT

2 To enact R.S. 40:989.4, relative to the Uniform Controlled Dangerous Substances Law; to  
3 create the crime of unlawful production, manufacturing, distribution, or possession  
4 of Xylazine; to provide relative to criminal penalties; to provide relative to  
5 exceptions; to provide for a definition; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:989.4 is hereby enacted to read as follows:

8 §989.4. Unlawful production, manufacturing, distribution, or possession of Xylazine

9 A.(1) It shall be unlawful for any person to knowingly or intentionally  
10 produce, manufacture, distribute, or possess with intent to produce, manufacture, or  
11 distribute Xylazine.

12 (2) Whoever violates the provisions of this Subsection shall be imprisoned,  
13 with or without hard labor, for not less than one year nor more than ten years and,  
14 in addition, may be required to pay a fine of not more than fifteen thousand dollars.

15 B.(1) It shall be unlawful for any person to knowingly or intentionally  
16 possess Xylazine.

17 (2) Whoever violates the provisions of this Subsection shall be imprisoned  
18 for not more than six months and, in addition, may be required to pay a fine of not  
19 more than five hundred dollars.

20 C. The provisions of this Section shall not apply to the following:

21 (a) The production, manufacturing, distribution, or possession of Xylazine  
22 in the course of a legitimate veterinary practice.

1                   (b) The production, manufacturing, distribution, or possession of a Xylazine  
2                   bulk chemical for pharmaceutical compounding by a licensed pharmacist or  
3                   veterinarian.

4                   (c) The possession of Xylazine pursuant to a valid prescription from a  
5                   licensed veterinarian.

6                   D. As used in this Section, "Xylazine" means Xylazine and any salt, sulfate,  
7                   isomer, homologue, analogue, or other preparation of Xylazine, and any salt, isomer,  
8                   compound, derivative, precursor, homologue, analogue, or other preparation thereof  
9                   that is substantially chemically equivalent or identical to Xylazine.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_