

2024 Regular Session

HOUSE BILL NO. 165

BY REPRESENTATIVE BOYD

CRIME: Provides relative to marijuana paraphernalia

1 AN ACT

2 To amend and reenact R.S. 40:1025(A)(1) and (B) through (D) and to enact R.S.  
3 40:1025(E), relative to penalties for transactions in drug related objects; to reduce  
4 the penalty for possession or use of marijuana drug paraphernalia; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1025(A)(1) and (B) through (D) are hereby amended and  
8 reenacted and R.S. 40:1025(E) is hereby enacted to read as follows:

9 §1025. Penalties

10 A.(1) ~~The~~ Except as provided in Subsection E of this Section, the first  
11 violation of or failure to comply with any provision of this Part shall subject the  
12 offender to a fine not in excess of three hundred dollars, or imprisonment of not more  
13 than fifteen days, or both.

14 \* \* \*

15 B. On a second conviction, except as provided in Subsection E of this  
16 Section, the offender shall be fined not more than one thousand dollars, or  
17 imprisoned for not more than six months, or both.

18 C. On a third or subsequent conviction, except as provided in Subsection E  
19 of this Section, the offender shall be fined not more than two thousand five hundred

1 dollars, or imprisoned, with or without hard labor, for not more than two years, or  
2 both.

3 D. If the second or subsequent conviction is by any person licensed under  
4 the occupational license tax law, as provided in R.S. 47:341 et seq., or by such  
5 person's manager, agent, servant, or employee, then such person shall forfeit the right  
6 to any permit issued thereunder and such permit may be suspended or revoked. The  
7 provisions of this Subsection shall not apply to drug paraphernalia intended for or  
8 used solely for marijuana.

9 E. On a first conviction or any subsequent conviction for a violation of the  
10 provisions of this Part involving the use or possession of drug paraphernalia intended  
11 for the use of marijuana or used to store, contain, or package marijuana, or to ingest  
12 or inhale marijuana, the offender shall be fined not more than one hundred dollars.

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#### 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)]

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HB 165 Original

2024 Regular Session

Boyd

**Abstract:** Reduces the penalty for possession or use of marijuana drug paraphernalia.

Present law provides for penalties for violations of law regarding the possession, sale, and use of drug paraphernalia.

Proposed law provides that on a first or subsequent conviction for a violation regarding the use or possession of drug paraphernalia for the use of marijuana or when used to store, contain, or package marijuana, or to ingest or inhale marijuana, the offender shall be fined not more than \$100.

(Amends R.S. 40:1025(A)(1), (B)-(D); Adds R.S. 40:1025(E))