HLS 25RS-140 ORIGINAL

2025 Regular Session

HOUSE BILL NO. 36

1

BY REPRESENTATIVE SCHLEGEL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

LIABILITY/CIVIL: Provides relative to consumable hemp

2	To amend and reenact R.S. 9:2800.62(2) and R.S. 9:2800.63(B)(1), relative to consumable
3	hemp products; to expand the definition of illegal controlled substance; to provide
4	for damages in certain circumstances; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 9:2800.62(2) and 2800.63(B)(1) are hereby amended and reenacted
7	to read as follows:
8	§2800.62. Definitions
9	As used in this Chapter, unless the context requires otherwise:
0	* * *
1	(2) "Illegal controlled substance" means cocaine, phencyclidine, heroin, or
12	methamphetamine, a consumable hemp product as defined in R.S. 3:1481 in
13	violation of R.S. 3:1482 and 1483, and any other illegal controlled dangerous
4	substance the possession or distribution of which is a violation of the Uniform
15	Controlled Dangerous Substances Law, R.S. 40:961 et seq.
16	* * *
17	§2800.63. Action for damages by persons other than the individual user
18	* * *
9	B. A person entitled to bring an action pursuant to Subsection A of this
20	Section may seek damages from one or more of the following:

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 (1) A person who sold, administered, or furnished an illegal controlled
2 substance to the individual user, or consumable hemp as defined by R.S. 3:1481 to
3 a minor.
4 \* \* \* \*

## **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 36 Original

2025 Regular Session

Schlegel

**Abstract:** Adds consumable hemp to the La. Drug Dealer Liability Act.

<u>Present law</u> (R.S. 9:2800.62(2)) defines "illegal controlled substance" as cocaine, phencyclidine, heroin, or methamphetamine, and any other illegal controlled dangerous substance the possession or distribution of which is a violation <u>present law</u>.

<u>Proposed law</u> expands the definition of "illegal controlled substance" to include consumable hemp product as defined in R.S. 3:1481 (any product derived from industrial hemp that contains any cannabinoid, including cannabidiol or THC, and is intended for consumption or topical use) when it is in violation of R.S. 3:1482 (prohibitions) and 1483 (permit and packaging requirements).

<u>Present law</u> (R.S. 9:2800.63(A)) provides a list of people who have a cause of action for damages caused by an individual's use of an illegal controlled substance. <u>Present law</u> (R.S. 9:2800.63(B)) also provides the circumstances which give rise to that cause of action.

<u>Proposed law</u> includes an action for damages when a person sells, administers, or furnishes consumable hemp to a minor.

(Amends R.S. 9:2800.62(2) and 2800.63(B)(1))