

Regular Session, 2013

Approved
5-1-13

HOUSE STUDY REQUEST NO. 1

BY REPRESENTATIVE HONORE

CONTROLLED SUBSTANCES: Requests a study of the feasibility and effectiveness of legalizing marijuana possession and use

1 A STUDY REQUEST

2 To the House Committee on the Administration of Criminal Justice to study the impact of
3 legalizing the possession and use of marijuana on the citizens of this state and to
4 report its findings to the House of Representatives prior to the convening of the 2014
5 Regular Session of the Legislature of Louisiana.

6 WHEREAS, the Louisiana Uniform Controlled Dangerous Substances Law was
7 enacted by Act No. 634 of the 1972 Regular Session of the Legislature; and

8 WHEREAS, Act No. 874 of the 1991 Regular Session of the Legislature authorized
9 physicians to prescribe marijuana for the therapeutic use in patients suffering from certain
10 types of medical conditions; and

11 WHEREAS, in 2012, a majority of voters in the states of Colorado and Washington
12 legalized the possession of marijuana by any person twenty-one years of age or older; and

13 WHEREAS, despite existing federal law prohibitions regarding the purchase and
14 possession of marijuana, it appears that public opinion may be changing regarding the
15 possession and recreational or therapeutic use of marijuana; and

16 WHEREAS, during the forty-one years since the Louisiana Uniform Controlled
17 Dangerous Substances Law has been enacted, attitudes in Louisiana regarding the
18 recreational or therapeutic use of marijuana have changed; and

19 WHEREAS, it is appropriate for the state of Louisiana to consider the legalization
20 of marijuana; however, prior to legalizing marijuana, the Louisiana Legislature should
21 consider many factors, including but not limited to the following:

1 (1) Determining how the legalization of marijuana would affect the health, safety,
2 and welfare of the citizens of Louisiana.

3 (2) Determining the impact legalization would have on drug-free workplace policies
4 and procedures.

5 (3) Determining the effect that legalization would have on existing criminal laws,
6 including the Uniform Controlled Dangerous Substances Law, the habitual offender law, as
7 well as provisions prohibiting the operation of a vehicle while intoxicated.

8 (4) Determining the regulations needed for the licensing of retailers to sell
9 marijuana.

10 (5) Determining the product labeling, quality control, and taxing regulations needed;
11 and

12 WHEREAS, if the Louisiana Legislature wishes to consider the legalization of
13 marijuana, that decision should be based upon facts which establish that the legalization of
14 marijuana is in the best interest of the people of the state of Louisiana.

15 THEREFORE, the House of Representatives of the Legislature of Louisiana requests
16 the House Committee on the Administration of Criminal Justice to study the impact of
17 legalizing the possession and use of marijuana on the citizens of this state and to report its
18 findings to the House of Representatives prior to the convening of the 2014 Regular Session
19 of the Legislature of Louisiana.

20 BE IT FURTHER RESOLVED, that the House Committee on the Administration
21 of Criminal Justice work in conjunction with and obtain input from the Department of Health
22 and Hospitals, the Louisiana Board of Pharmacy, the Louisiana District Attorneys
23 Association, the Louisiana Public Defender Board, the Louisiana Sheriffs' Association, the
24 Louisiana State Police, the Louisiana Commission on Law Enforcement and the
25 Administration of Criminal Justice, the Louisiana Public Defenders Association, the
26 Louisiana Association of Criminal Defense Lawyers, the office of the attorney general, and
27 any other agencies or associations deemed appropriate by the committee.

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)]

Honore

HSR No. 1

Requests the House Committee on the Administration of Criminal Justice to study the impact of legalizing the possession and use of marijuana and to report its findings to the House of Representatives prior to the convening of the 2014 R.S.