

Regular Session, 2014

HOUSE BILL NO. 1171

BY REPRESENTATIVE WESLEY BISHOP

CONTROLLED SUBSTANCES: Provides with respect to penalties for possession of marijuana and synthetic cannabinoids

1 AN ACT

2 To enact R.S. 40:966(E)(6), relative to penalties for possession of marijuana and synthetic
3 cannabinoids; to provide restrictions with respect to the use of prior convictions for
4 possession of marijuana and synthetic cannabinoids; to provide for a five-year
5 cleansing period; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:966(E)(6) is hereby enacted to read as follows:

8 §966. Penalty for distribution or possession with intent to distribute narcotic drugs
9 listed in Schedule I; possession of marijuana; possession of synthetic
10 cannabinoids

11 * * *

12 E. Possession of marijuana; or synthetic cannabinoids

13 * * *

14 (6) For purposes of this Section, a prior conviction shall not include a
15 conviction for an offense under this Section if committed more than five years prior
16 to the commission of the crime for which the defendant is being tried and such
17 conviction shall not be considered in the assessment of penalties provided by this
18 Section.

19 * * *

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)]

Wesley Bishop

HB No. 1171

Abstract: Provides for a five-year cleansing period which prohibits using a prior conviction for possession of marijuana for enhanced penalty purposes if more than five years have elapsed since the last conviction.

Present law provides for penalties for the possession of marijuana and synthetic cannabinoids.

Present law provides for enhanced penalties for second and subsequent offenses.

Proposed law prohibits using a prior conviction for enhanced penalty purposes if more than five years have elapsed since the last conviction.

(Adds R.S. 40:966(E)(6))