

2017 Regular Session

HOUSE BILL NO. 78

BY REPRESENTATIVE DWIGHT

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

CONTROLLED SUBSTANCES: Provides relative to the penalties for possession of phencyclidine

1 AN ACT

2 To amend and reenact R.S. 40:966(C)(2) and 967(C) and to repeal R.S. 40:966(C)(3),
3 relative to the Uniform Controlled Dangerous Substances Law; to provide relative
4 to penalties for possession of phencyclidine as a Schedule II Controlled Dangerous
5 Substance; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:966(C)(2) and 967(C) are hereby amended and reenacted to read
8 as follows:

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

12 * * *

13 C. Possession. It is unlawful for any person knowingly or intentionally to
14 possess a controlled dangerous substance classified in Schedule I unless such
15 substance was obtained directly, or pursuant to a valid prescription or order, from a
16 practitioner or as provided in R.S. 40:978, while acting in the course of his
17 professional practice, or except as otherwise authorized by this Part. Any person
18 who violates this Subsection with respect to:

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)]

HB 78 Engrossed

2017 Regular Session

Dwight

Abstract: Relocates the penalty provisions for possession of phencyclidine, a Schedule II Controlled Dangerous Substance.

Present law classified phencyclidine as a Schedule II controlled dangerous substance. Present law provides for penalties for the possession of phencyclidine including imprisonment, with or without hard labor, for five to 20 years, a fine of not more than \$5,000, or both, but these penalty provisions are included in the statutory scheme for Schedule I provisions.

Proposed law moves the present law penalties for possession of phencyclidine to the present law penalties of controlled dangerous substances classified in Schedule II.

(Amends R.S. 40:966(C)(2) and 967(C); Repeals R.S. 40:966(C)(3))