

2019 Regular Session

HOUSE BILL NO. 138

BY REPRESENTATIVE CONNICK

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

CONTROLLED SUBSTANCES: Provides relative to certain substances in the Uniform Controlled Dangerous Substances Law

1 AN ACT

2 To amend and reenact R.S. 40:961(26) and 964(Schedule I)(C)(27) and to enact R.S.
3 40:961(45) and 964(Schedule I)(A)(62) through (67) and (C)(65), relative to the
4 Uniform Controlled Dangerous Substances Law; to amend the definition of
5 marijuana to exclude hemp; to provide for a definition of hemp; to add certain
6 substances to Schedule I; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:961(26) and 964(Schedule I)(C)(27) are hereby amended and
9 reenacted and R.S. 40:961(45) and 964(Schedule I)(A)(62) through (67) and (C)(65) are
10 hereby enacted to read as follows:

11 §961. Definitions

12 As used in this Part, the following terms shall have the meaning ascribed to
13 them in this Section unless the context clearly indicates otherwise:

14 * * *

15 (26)(a) "Marijuana" means all parts of plants of the genus Cannabis, whether
16 growing or not; the seeds thereof; the resin extracted from any part of such plant; and
17 every compound, manufacture, salt, derivative, mixture, or preparation of such plant,
18 its seeds or resin;

19 ~~but~~ (b) "Marijuana" shall not include the following:

20 (i) Hemp.

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 138 Original

2019 Regular Session

Connick

Abstract: Amends the definition of "marijuana" to exclude hemp, adds a definition of "hemp", and adds certain substances to Schedule I of the Uniform Controlled Dangerous Substances Law.

Present law provides for a definition of "marijuana" which means all parts of plants of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin.

Present law further provides that the term "marijuana" does not include the mature stalks of plants of the genus Cannabis, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination, or cannabidiol when contained in a drug product approved by the U.S. Food and Drug Administration.

Proposed law adds hemp as an exception to the present law definition of "marijuana".

Proposed law defines "hemp" as the plant Cannabis sativa and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, and salts of isomers, whether growing or not, with a delta-9-tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

Present law provides for the designation of controlled dangerous substances into Schedules I, II, III, IV, and V based upon the substances' potential for addiction and abuse.

Proposed law retains present law.

Proposed law adds Methoxyacetylfentanyl, Para-fluorobutyrylfentanyl, Tetrahydrofuranylfentanyl, U-49900, U-51754, U-48800, and Deschloro-N-ethyl-ketamine to Schedule I.

(Amends R.S. 40:961(26) and 964(Schedule I)(C)(27); Adds R.S. 40:961(45) and 964(Schedule I)(A)(62) through (67) and (C)(65))