

2019 Regular Session

HOUSE BILL NO. 507

BY REPRESENTATIVE ABRAMSON

TAX: Levies a 7% tax on the gross sales of therapeutic marijuana and dedicates the avails into the New Opportunities Waiver Fund

1 AN ACT

2 To amend and reenact R.S. 40:1046(H)(8)(a); relative to the gross sales of therapeutic
3 marijuana; to authorize a tax on the gross sales of therapeutic marijuana; to dedicate
4 the avails of the tax; to provide for an effective date; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1046(H)(8)(a) is amended and hereby reenacted to read as
8 follows:

9 §1046. Prescription of marijuana for therapeutic use; rules and regulations;
10 Louisiana Board of Pharmacy and the adoption of rules and regulations
11 relating to the dispensing of prescribed marijuana for therapeutic use; the
12 Department of Agriculture and Forestry and the licensure of a production
13 facility

14 * * *

15 H.

16 * * *

17 (8)(a) The department shall perform the following:

18 (i) Establish and collect an annual license fee of one hundred thousand dollars
19 and an annual permit fee of one hundred dollars for administrative and inspection
20 costs.

- 1 (ii) Collect a nonrefundable application fee of ten thousand dollars.
- 2 (iii) ~~Receive an amount not to exceed seven percent of the gross sales. Collect~~
- 3 a tax of seven percent of the gross sales of therapeutic marijuana and the avails of
- 4 this levy shall be paid into the state treasury and the state treasurer shall annually
- 5 deposit into the New Opportunities Waiver Fund an amount equal to the avails of the
- 6 tax imposed under the provisions of this Item.

7 * * *

8 Section 2. The provisions of this Act shall become effective on July 1, 2019.

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 507 Original

2019 Regular Session

Abramson

Abstract: Levies a 7% tax on the gross sales of therapeutic marijuana and dedicates the avails of the tax into the New Opportunities Waiver Fund.

Present law establishes an annual license fee of \$100,000 for a license to produce marijuana for therapeutic use, an annual permit fee of \$100 for the administrative and inspection costs associated with producing marijuana for therapeutic use, and a nonrefundable application fee of \$10,000 to apply for the license to produce marijuana for therapeutic use. Proposed law retains present law.

Present law mandates that the Dept. of Agriculture and Forestry receive an amount not to exceed 7% of the gross sales of therapeutic marijuana.

Proposed law changes present law to levy a tax of 7% of the gross sales of therapeutic marijuana and dedicates the avails of the tax into the New Opportunities Waiver Fund.

Effective July 1, 2019.

(Amends R.S. 40:1046(H)(8)(a))