
SENATE FLOOR AMENDMENTS

2019 Regular Session

Amendments proposed by Senator Allain to Reengrossed House Bill No. 491 by Representative Schexnayder

1 AMENDMENT NO. 1

2 In Senate Committee Amendment No. 3 proposed by the Senate Committee on Agriculture,
3 Forestry, Aquaculture, and Rural Development and adopted by the Senate on May 22, 2019,
4 on page 1, line 9, after "1471," insert "and"

5 AMENDMENT NO. 2

6 Delete Senate Committee Amendment Nos. 5 through 16 proposed by the Senate Committee
7 on Agriculture, Forestry, Aquaculture, and Rural Development and adopted by the Senate
8 on May 22, 2019.

9 AMENDMENT NO. 3

10 Delete Senate Committee Amendment Nos. 30 through 36 proposed by the Senate
11 Committee on Agriculture, Forestry, Aquaculture, and Rural Development and adopted by
12 the Senate on May 22, 2019.

13 AMENDMENT NO. 4

14 In Senate Committee Amendment No. 45 proposed by the Senate Committee on Agriculture,
15 Forestry, Aquaculture, and Rural Development and adopted by the Senate on May 22, 2019,
16 on page 5, line 7, change "process, possess, or sell:" to "process or sell:"

17 AMENDMENT NO. 5

18 In Senate Committee Amendment No. 45 proposed by the Senate Committee on Agriculture,
19 Forestry, Aquaculture, and Rural Development and adopted by the Senate on May 22, 2019,
20 on page 5, delete lines 14 and 15 and insert the following:

21 "(1) Be produced from hemp grown by a licensee authorized to grow hemp
22 by the United States Department of Agriculture or under an approved state plan
23 pursuant to the Agriculture Improvement Act of 2018, P.L. 115-334, or under an
24 authorized state pilot program pursuant to the Agriculture Act of 2014, P.L. 113-79."

25 AMENDMENT NO. 6

26 In Senate Committee Amendment No. 45 proposed by the Senate Committee on Agriculture,
27 Forestry, Aquaculture, and Rural Development and adopted by the Senate on May 22, 2019,
28 on page 5, between lines 19 and 20, insert the following:

29 "(4) Not be marketed as a dietary supplement."

30 AMENDMENT NO. 7

31 In Senate Committee Amendment No. 45 proposed by the Senate Committee on Agriculture,
32 Forestry, Aquaculture, and Rural Development and adopted by the Senate on May 22, 2019,
33 on page 5, line 41, after "shall" delete "maintain a tracking system" and insert "provide a
34 list"

1 AMENDMENT NO. 8

2 In Senate Committee Amendment No. 45 proposed by the Senate Committee on Agriculture,
3 Forestry, Aquaculture, and Rural Development and adopted by the Senate on May 22, 2019,
4 on page 5, line 42, delete "that is accessible"

5 AMENDMENT NO. 9

6 In Senate Committee Amendment No. 45 proposed by the Senate Committee on Agriculture,
7 Forestry, Aquaculture, and Rural Development and adopted by the Senate on May 22, 2019,
8 on page 5, line 50, after "I." insert the following:

9 "The department shall charge and collect from the manufacturers or packers
10 of industrial hemp-derived CBD products an annual examination and investigation
11 charge of not more than fifty dollars for any one separate and distinct product
12 registered. This charge shall be in lieu of the charge pursuant to R.S. 40:628.
13 J."

14 AMENDMENT NO. 10

15 In Senate Committee Amendment No. 45 proposed by the Senate Committee on Agriculture,
16 Forestry, Aquaculture, and Rural Development and adopted by the Senate on May 22, 2019,
17 on page 5, line 51, after "Section" insert "by November 1, 2019"

18 AMENDMENT NO. 11

19 In Senate Committee Amendment No. 45 proposed by the Senate Committee on Agriculture,
20 Forestry, Aquaculture, and Rural Development and adopted by the Senate on May 22, 2019,
21 on page 6, line 2, after "Section" insert "by November 1, 2019"

22 AMENDMENT NO. 12

23 Delete Senate Committee Amendment No. 46 proposed by the Senate Committee on
24 Agriculture, Forestry, Aquaculture, and Rural Development and adopted by the Senate on
25 May 22, 2019.

26 AMENDMENT NO. 13

27 Delete Senate Committee Amendment Nos. 1 and 2 proposed by the Senate Committee on
28 Finance and adopted by the Senate on May 27, 2019.

29 AMENDMENT NO. 14

30 Delete Legislative Bureau Amendment Nos. 1 and 2 proposed by the Legislative Bureau and
31 adopted by the Senate on May 28, 2019.

32 AMENDMENT NO. 15

33 On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 47:1692(3)
34 and to"

35 AMENDMENT NO. 16

36 On page 2, delete line 17 and insert the following:

37 "(1) "Applicant" means any individual, partnership, corporation, cooperative
38 association, or other business entity applying for a grower, processor, contract
39 carrier, or industrial hemp seed producer license. For purposes of a business entity,
40 "applicant" shall mean the person designated by the business as being responsible for
41 daily business operations."

1 AMENDMENT NO. 17

2 On page 6, line 21, after "processor," and before "or industrial" insert "contract carrier,"

3 AMENDMENT NO. 18

4 On page 6, line 24, after "party" insert a comma "," and "if the applicant is a business entity"

5 AMENDMENT NO. 19

6 On page 6, line 25, after "(c)" and before "legal" delete "The" and insert "Except for the
7 contract carrier applicant, the"

8 AMENDMENT NO. 20

9 On page 7, at the beginning of line 2, change "designated responsible party" to "applicant"

10 AMENDMENT NO. 21

11 On page 7, line 3, change "designated responsible party" to "applicant"

12 AMENDMENT NO. 22

13 On page 7, delete lines 7 through 9 and insert the following:

14 "(2) No person shall be eligible to obtain a license if convicted under state
15 or federal law of any of the following:"

16 AMENDMENT NO. 23

17 On page 13, line 11, after "hemp" delete the remainder of the line and insert "or industrial
18 hemp-derived CBD products as provided for in Parts V and VI of Chapter 10-A of Title 3
19 of the Louisiana"

20 AMENDMENT NO. 24

21 On page 13, after line 12, insert the following:

22 "Section 3. R.S. 47:1692(3) as enacted by the Act that originated as House
23 Bill No. 560 of the 2019 Regular Session of the Legislature is hereby amended and
24 reenacted to read as follows:

25 "§1692. Definitions

26 As used in this Chapter, the following terms shall have the meaning ascribed
27 to them in this Section unless the context clearly indicates otherwise:

28 * * *

29 (3) Solely for purposes of the imposition of the industrial hemp-derived CBD
30 tax, "industrial hemp" means the plant Cannabis sativa and any part of that plant,
31 including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids,
32 salts, and salts of isomers, whether growing or not, with a delta-9
33 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight
34 basis, and ~~cultivated and processed in accordance with the United States Agriculture~~
35 ~~Improvement Act of 2018, P.L. 115-334, or the plan submitted by the Louisiana~~
36 ~~Department of Agriculture and Forestry that is in compliance with the U.S.~~
37 ~~Department of Agriculture rules produced from hemp grown by a licensee authorized~~
38 to grow hemp by the United States Department of Agriculture, or under an approved
39 state plan pursuant to the Agriculture Improvement Act of 2018, P.L. 115-334, or
40 under an authorized state pilot program pursuant to the Agriculture Act of 2014, P.L.
41 113-79. Industrial hemp shall not include plants of the Genus Cannabis that meet the
42 definition of "marijuana" as defined in R.S. 40:961.

43 * * *

1 Section 4. The provisions of this Act enacting R.S. 3:1484 shall become
2 effective on January 1, 2020.

3 Section 5. Section 3 of this Act shall become effective only if House Bill No.
4 560 of this 2019 Regular Session of the Legislature becomes law.

5 Section 6. The provisions of this Act not addressed in Sections 4 or 5 shall
6 become effective upon signature by the governor, as provided by Article III, Section
7 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently
8 approved by the legislature, this Act shall become effective on the day following
9 such approval."