

## RÉSUMÉ DIGEST

ACT 354 (HB 138)

2019 Regular Session

Connick

Existing 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.

Existing 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.

New law adds industrial hemp that is in the possession, custody, or control of a person who holds a license issued by the La. Dept. of Agriculture and Forestry, or is cultivated and processed in accordance with the U.S. Agriculture Improvement Act of 2018 as an exception to the existing law definition of "marijuana".

New law defines "industrial 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 and cultivated and processed in accordance with the U.S. Agriculture Improvement Act of 2018, or the plan submitted by the La. Dept. of Agriculture and Forestry that is in compliance with the U.S. Dept. of Agriculture rules.

Existing 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.

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

Existing law provides that no person shall knowingly or intentionally:

- (1) Produce, manufacture, distribute or dispense or possess with intent to produce, manufacture, distribute, or dispense, a controlled dangerous substance or controlled dangerous substance analogue classified in Schedule I.
- (2) Create, distribute, or possess with intent to distribute, a counterfeit controlled dangerous substance classified in Schedule I.

New law adds to existing law that no person shall knowingly or intentionally cultivate, possess, process, or sell industrial hemp products, or viable industrial hemp seeds not in accordance with the U.S. Agriculture Improvement Act of 2018 or the plan submitted by the La. Dept. of Agriculture and Forestry that is in compliance with the U.S. Dept. of Agriculture rules.

Effective August 1, 2019.

(Amends R.S. 40:961(26) and 964(Schedule I)(C)(27); Adds R.S. 40:961(45), 964(Schedule I)(A)(62) through (67) and (C)(65), and 966(A)(3))