

GREEN SHEET REDIGEST

HB 418

2020 Regular Session

LaCombe

**CONTROLLED SUBSTANCES: Provides relative to immunity from prosecution for medical marijuana**

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DIGEST

Present law provides that certain persons are exempt from prosecution for certain violations of present law (the Uniform Controlled Dangerous Substances Law).

Proposed law retains present law and adds that any facility licensed by the La. Dept. of Health and has patients in its care using medical marijuana pursuant to present law (R.S. 40:1046) and physicians who provide information on marijuana for therapeutic use within a bona fide doctor-patient relationship, or who issue a recommendation to a patient for marijuana for therapeutic use pursuant to present law, shall be exempt from prosecution for certain violations of present law (the Uniform Controlled Dangerous Substances Law).

Proposed law further provides that the proposed law exemption does not prohibit the arrest or prosecution of any person for diversion of medical marijuana or any other conduct outside the scope of the state-sanctioned medical marijuana program provided for in present law or proposed law.

(Amends R.S. 40:966(F)(6); Adds R.S. 40:966(F)(7) and (8))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Exempt physicians who provide information on marijuana for therapeutic use within a bona fide doctor-patient relationship or who issue a recommendation to a patient for marijuana for therapeutic use pursuant to present law from prosecution for certain violations of present law (the Uniform Controlled Dangerous Substances Law).

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the reengrossed bill

1. Add language that clarifies that proposed law exempts the La. Dept. of Health and certain physicians from the prohibitions provided in present law and proposed law for possession and distribution of marijuana.
2. Add provision to proposed law that proposed law does not prohibit the arrest or prosecution of any person for diversion of medical marijuana or any other conduct outside the scope of the state-sanctioned medical marijuana program provided for in present law.