The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

DIGEST

SB 107 Original | 2021 Regular Session | Boudreaux

Present law provides for the scheduling of all controlled dangerous substances.

Present law defines "marijuana" as all parts of plants of the genus Cannabis, whether growing or not, the seeds, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin but provides that marijuana shall not include cannabidiol when contained in a drug product approved by the United States Food and Drug Administration (FDA). Proposed law expands the exception for FDA-approved products to those containing any cannabinoids.

Present law provides that the secretary of the La. Dept. of Health shall add a substance to the schedules as a controlled dangerous substance if it is classified as a controlled dangerous substance by the U.S. Drug Enforcement Administration (DEA) or found to have a high potential for abuse. Present law further provides that the secretary may transfer a controlled substance from one schedule to another schedule upon the basis of a finding that the characteristics of the controlled substance are such that under the criteria in present law the controlled substances should be transferred or that a transfer of any substance should be made in order to conform with the schedule in which the drug is placed by the DEA. Proposed law adds authority for the secretary to delete any drug or other substance from the schedules provided in present law if the drug or other substance is no longer classified as a controlled dangerous substance by the DEA.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:961(27)(b)(iii); adds R.S. 40:962(I))