
DIGEST

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HB 652 Original

2021 Regular Session

Glover

Abstract: Reduces the criminal penalties for a first conviction of marijuana when the offender possesses 14 grams or less.

Present law provides for the following criminal penalties with regard to a first conviction of possession of marijuana.

- (1) Offender possesses 14 grams or less - fined up to \$300, imprisoned for not more than 15 days, or both.
- (2) Offender possesses more than 14 grams - fined up to \$500, imprisoned for not more than six months, or both.

Proposed law reduces the criminal penalties for a first conviction of possession of marijuana when the offender possesses 14 grams or less to a fine of not more than \$50. Additionally, the court shall have the discretion to fashion alternative penalties other than imprisonment including installment payments or community service not to exceed four hours.

Proposed law further provides that if an offender upon whom a fine has been imposed alleges indigency, or otherwise fails to pay the imposed fine, the court shall determine whether the defendant has willfully refused to pay or has made bona fide efforts to legally acquire resources to pay. If an offender has not willfully refused to pay and has made bona fide efforts to attempt to pay the fine imposed, the court shall use its discretion to alternatives, including installment payments or community service.

Proposed law provides for enforcement of proposed law by use of summons.

(Amends R.S. 40:966(C)(2)(a))