
HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Judiciary to Original House Bill No. 440
by Representative Nelson

1 AMENDMENT NO. 1

2 On page 1, line 3, after "47:1699.1" and before the comma "," insert "and 1699.2"

3 AMENDMENT NO. 2

4 On page 1, line 4, after "licenses;" delete the remainder of the line and at the beginning of
5 line 5 delete "commissioner of alcohol and tobacco control" and insert "to provide for
6 penalties"

7 AMENDMENT NO. 3

8 On page 1, line 9, after "47:1699.1" and before the comma "," insert "and 1699.2"

9 AMENDMENT NO. 4

10 On page 1, delete line 10 and insert the following:

11 "CHAPTER 20. CANNABIS LICENSE FEES AND PENALTIES"

12 AMENDMENT NO. 5

13 On page 1, delete lines 12 through 16 and at the beginning of line 17, delete "B." and insert
14 "A."

15 AMENDMENT NO. 6

16 On page 1, line 18, after "to R.S." delete "40:1058.5." and insert "26:954."

17 AMENDMENT NO. 7

18 On page 2, delete lines 1 and 2 and at the beginning of line 3, delete "D." and insert the
19 following:

20 "B. There shall be an annual fee for a personal cultivation license issued
21 pursuant to R.S. 26:958. The amount of the fee shall be one hundred dollars.
22 C."

23 AMENDMENT NO. 8

24 On page 2, at the beginning of line 4, change "E." to "D."

25 AMENDMENT NO. 9

26 On page 2, line 6, after "of 1950" delete the remainder of the line and delete line 7 and insert
27 a comma "," and "the excess fees shall"

28 AMENDMENT NO. 10

29 On page 2, line 9, after "distributions of" delete "tax collections pursuant to R.S. 47:1699.5"
30 and insert "taxes collected for sales regulated by Chapter 9 of Title 26 of the Louisiana
31 Revised Statutes of 1950"

1 AMENDMENT NO. 11

2 On page 2, delete lines 11 and 12 and insert the following:

3 "§1699.2. Civil penalties

4 A. Each person who violates any provision of this Chapter or Chapter 9 of
5 Title 26 of the Louisiana Revised Statutes of 1950, or any rule adopted pursuant to
6 this Chapter or Chapter 9 of Title 26 of the Louisiana Revised Statutes of 1950, shall
7 be subject to a civil penalty of not more than fifty thousand dollars for each act of
8 violation and for each day of violation.

9 B. Civil penalties may be assessed only by a ruling of the commissioner of
10 alcohol and tobacco control based upon an adjudicatory hearing held in accordance
11 with the provisions of the Administrative Procedure Act, this Chapter, and Chapter
12 9 of Title 26 of the Louisiana Revised Statutes of 1950.

13 Section 2. This Act shall take effect and become operative if and when the Act
14 which originated as House Bill No. 699 of this 2021 Regular Session of the Legislature is
15 enacted and becomes effective."