

2022 Regular Session

HOUSE BILL NO. 698

BY REPRESENTATIVE MAGEE

FEES/LICENSES/PERMITS: Provides for fees and charges to be assessed by the La. Department of Health and La. Board of Pharmacy in connection with regulation of marijuana for therapeutic use

1 AN ACT

2 To amend and reenact R.S. 40:1046(C)(2)(introductory paragraph) and

3 (H)(8)(a)(introductory paragraph), (i), and (b) and to enact R.S. 40:1046(C)(2)(m)

4 and (H)(8)(c) and (d), relative to marijuana produced for therapeutic use; to provide

5 for regulation by the Louisiana Department of Health and the Louisiana Board of

6 Pharmacy of various aspects of production of marijuana for therapeutic use; to

7 authorize the Louisiana Department of Health to charge and collect fees from

8 contractors and other persons involved with therapeutic marijuana production; to

9 authorize the Louisiana Board of Pharmacy to charge and collect fees to fund

10 expenses associated with regulation and control of therapeutic marijuana; to provide

11 for an effective date; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 40:1046(C)(2)(introductory paragraph) and (H)(8)(a)(introductory

14 paragraph), (i), and (b) are hereby amended and reenacted and R.S. 40:1046(C)(2)(m) and

15 (H)(8)(c) and (d) are hereby enacted to read as follows:

16 §1046. Recommendation and dispensing of marijuana for therapeutic use; rules and

17 regulations of the ~~Louisiana State Board of Medical Examiners and~~

18 Louisiana Board of Pharmacy; production facility licensing; ~~by the~~

1 ~~Department of Agriculture and Forestry~~ permitting by the Louisiana

2 Department of Health

3 * * *

4 C.

5 * * *

6 (2) The rules promulgated pursuant to this Subsection shall include but not
7 be limited to:

8 * * *

9 (m) The establishment of a reasonable fee schedule for testing of therapeutic
10 marijuana samples.

11 * * *

12 H.

13 * * *

14 (8)(a) The ~~department~~ Louisiana Department of Health shall perform the
15 following:

16 (i) Establish and collect an annual license fee of ~~one hundred thousand~~ fifty
17 thousand dollars from each contractor permitted to cultivate, extract, process,
18 produce, and transport therapeutic marijuana and an annual permit fee of one
19 hundred dollars ~~for administrative and inspection costs~~ from each person who is
20 subject to the provisions of R.S. 40:1047.

21 * * *

22 (b) All fees collected by the department shall be used to fund the expenses
23 relating to the regulation and control of ~~prescribed marijuana for therapeutic use~~
24 therapeutic marijuana.

25 (c) The Louisiana Board of Pharmacy shall establish and may collect, either
26 directly or through a private designee, the following nonrefundable charges to fund
27 expenses associated with regulation and control of therapeutic marijuana:

28 (i) An annual license charge of fifty thousand dollars to each contractor
29 permitted to cultivate, extract, process, produce, and transport therapeutic marijuana.

Proposed law provides that the board may collect the following nonrefundable charges to fund expenses associated with regulation and control of therapeutic marijuana:

- (1) An annual license charge of \$50,000 to each contractor permitted to cultivate, extract, process, produce, and transport therapeutic marijuana.
- (2) A charge of no more than \$10,000 for services related to the initial inspection of a therapeutic marijuana laboratory.
- (3) A charge of no more than \$10,000 for services related to a subsequent inspection of a therapeutic marijuana laboratory.
- (4) A charge of no more than \$10,000 for services related to at least one annual renewal inspection.

Present law requires that the La. Department of Agriculture and Forestry collect from licensed producers of therapeutic marijuana an annual license fee of \$100,000 and an annual permit fee of \$100 for administrative and inspection costs.

Proposed law revises present law to require instead that the La. Department of Health collect an annual license fee of \$50,000 from each contractor permitted to cultivate, extract, process, produce, and transport therapeutic marijuana and an annual permit fee of \$100 from each person who is subject to the provisions of present law relative to suitability and background checks in connection with production of therapeutic marijuana.

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

(Amends R.S. 40:1046(C)(2)(intro. para.) and (H)(8)(a)(intro. para.), (i), and (b); Adds R.S. 40:1046(C)(2)(m) and (H)(8)(c) and (d))