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

DIGEST

SB 315 Original | 2022 Regular Session | Womack

Present law provides that it is illegal to produce, manufacture, distribute, or dispense or possess with intent to produce, manufacture, distribute, or dispense fentanyl or a fentanyl analogue. Present law further provides that a person who violates present law shall be imprisoned at hard labor for not less than 5 years nor more than 40 years and may, in addition, be required to pay a fine of not more than $50,000.

Proposed law retains present law and provides for enhanced penalties if an individual knowingly misrepresented or knowingly marketed a mixture or substance containing fentanyl or a fentanyl analogue as another substance.

Present law provides that is unlawful for any person or corporation, knowing, or under circumstances where one reasonably should know, to sell, lend, rent, lease, give, exchange, or otherwise distribute to any person any drug paraphernalia. Present law defines "drug paraphernalia".

Proposed law retains present law but provides an exception for any person who possesses, delivers, or sells testing equipment designed to detect the presence of fentanyl or any synthetic controlled substance fentanyl analogue.

Effective August 1, 2022.

(Amends R.S. 40:967(B)(4); adds R.S. 40:967(F) and 1024.1)