
HOUSE COMMITTEE AMENDMENTS

2022 Regular Session

Amendments proposed by House Committee on Health and Welfare to Original House Bill
No. 697 by Representative Magee

1 AMENDMENT NO. 1

2 On page 1, line 2, after "(2)(introductory paragraph)," delete the remainder of the line

3 AMENDMENT NO. 2

4 On page 1, delete line 3 in its entirety and insert in lieu thereof the following:

5 "(G), and (H)(1), (2), (6)(a)(introductory paragraph) and (b), and (8)(a)(introductory
6 paragraph) and (iii), to enact R.S."

7 AMENDMENT NO. 3

8 On page 1, line 4, after "repeal" delete the remainder of the line and insert in lieu thereof
9 "R.S. 40:1046(C)(2)(h) and (H)(3)"

10 AMENDMENT NO. 4

11 On page 1, line 8, after "Health;" and before "to provide" insert "to provide for remittance
12 to the Louisiana Department of Revenue of the proceeds of certain fees;"

13 AMENDMENT NO. 5

14 On page 1, at the end of line 9, change "board" to "Louisiana Department of Health"

15 AMENDMENT NO. 6

16 On page 1, line 15, after "Forestry;" and before "to provide" insert "to authorize certain
17 institutions to conduct research on marijuana for therapeutic use;"

18 AMENDMENT NO. 7

19 On page 1, line 18, after "(2)(introductory paragraph)," delete the remainder of the line

20 AMENDMENT NO. 8

21 On page 1, line 19, after "(2)," and before "(6)(a)(introductory paragraph)" delete "and" and
22 after "(b)" and before "are hereby" insert a comma "," and "and (8)(a)(introductory
23 paragraph) and (iii)"

24 AMENDMENT NO. 9

25 On page 3, line 1, delete "either" and at the end of the line change "or practicing" to
26 "through"

27 AMENDMENT NO. 10

28 On page 3, after line 11, delete the remainder of the page and delete page 4 in its entirety and
29 on page 5 delete lines 1 through 16 in their entirety and insert in lieu thereof the following:

30 "G.(1) The Louisiana Board of Pharmacy shall develop an annual,
31 nontransferable specialty license for a pharmacy to dispense recommended

1 ~~marijuana for therapeutic use and shall limit the number of such licenses granted in~~
 2 ~~the state to no more than ten licensees. The Louisiana Board of Pharmacy shall~~
 3 ~~develop rules and regulations regarding the geographical locations of dispensing~~
 4 ~~pharmacies in Louisiana. The board shall award a minimum of one license per~~
 5 ~~region, as delineated in Paragraph (2) of this Subsection, and shall award each~~
 6 ~~license through a competitive process.~~

7 (2) For the purposes of this Subsection, the regions among which the
 8 Louisiana Board of Pharmacy shall allocate marijuana pharmacy licenses shall
 9 correspond to the sets of parishes comprising, respectively, the human services
 10 districts and authorities established by the provisions of R.S. 28:912 as those districts
 11 and authorities existed on July 1, 2022. On and after October 1, 2022, at least one
 12 licensed marijuana pharmacy shall be located in each region.

13 (3) After five thousand active, qualified patients are registered in the
 14 prescription monitoring program in a region, the Louisiana Board of Pharmacy shall
 15 require the marijuana pharmacy licensee in that region to open one additional
 16 marijuana pharmacy location in that region. The board shall license the additional
 17 location within three months of the date on which the patient registration threshold
 18 provided for in this Paragraph is met.

19 (4) Following the issuance of a license in a region in accordance with the
 20 process provided in Paragraph (3) of this Subsection, if a total of an additional five
 21 thousand active, qualified patients are registered in the prescription monitoring
 22 program in the region, then the Louisiana Board of Pharmacy may license one
 23 additional marijuana pharmacy location in that region. In the issuance of a license
 24 as authorized in this Paragraph, the board shall consider any unserved parishes
 25 within the region when approving a location for licensure. The provisions of this
 26 Paragraph authorizing an additional license in a region shall apply each time that an
 27 additional increment of five thousand active, qualified patients registered in the
 28 prescription monitoring program is reached in the region.

29 (5)(a) No marijuana pharmacy shall locate within a fifteen-mile radius of
 30 another marijuana pharmacy.

31 (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,
 32 in a region that encompasses any parish with a population of more than three
 33 hundred fifty thousand persons according to the most recent federal decennial
 34 census, no marijuana pharmacy shall locate within a ten-mile radius of another
 35 marijuana pharmacy.

36 (c) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,
 37 in a region that encompasses any municipality with a population of more than three
 38 hundred fifty thousand persons according to the most recent federal decennial
 39 census, no marijuana pharmacy shall locate within a five-mile radius of another
 40 marijuana pharmacy.

41 (6) Each marijuana pharmacy licensed in accordance with the provisions of
 42 this Subsection shall offer home delivery to patients in each zip code within its
 43 region at least once per month."

44 AMENDMENT NO. 11

45 On page 7, delete lines 1 through 3 in their entirety and insert in lieu thereof the following:

46 "(c) The Louisiana State University Agricultural Center or, the Southern
 47 University Agricultural Center, and the University of Louisiana at Monroe may
 48 conduct research on marijuana for therapeutic use if the center is licensed as a
 49 production facility pursuant to this Section."

1 AMENDMENT NO. 12

2 On page 7, line 5, delete "and" and insert a comma ",."

3 AMENDMENT NO. 13

4 On page 7, line 6, after "Center" and before "shall" insert a comma "," and "and the
5 University of Louisiana at Monroe"

6 AMENDMENT NO. 14

7 On page 7, between lines 20 and 21, insert the following:

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

10 * * *

11 (iii) Assess a fee of seven percent of the gross sales of therapeutic marijuana.
12 The fee shall be reported and paid by the licensed production facility or permitted
13 contractor that sells therapeutic marijuana to marijuana pharmacies. The fee that
14 shall be collected by the Department of Revenue and shall be subject to the
15 provisions of Chapter 18 of Subtitle II of Title 47 of the Louisiana Revised Statutes
16 of 1950 as amended. Notwithstanding the provisions of Subparagraph (b) of this
17 Paragraph, the Department of Revenue shall transfer monthly to the state treasury for
18 deposit into the Community and Family Support System Fund, as established in R.S.
19 28:826, the amount of revenues collected in accordance with this Item. An amount
20 shall be allocated to the department, pursuant to legislative appropriation, for
21 regulatory, administrative, investigative, enforcement, legal, and other such expenses
22 as may be necessary to carry out the provisions of this Chapter and for activities
23 associated with the enforcement of law and regulations governing the therapeutic
24 marijuana program.

25 * * *

26 AMENDMENT NO. 15

27 On page 7, line 24, delete "by its licensed university"

28 AMENDMENT NO. 16

29 On page 8, line 2, delete "and the licensed university"

30 AMENDMENT NO. 17

31 On page 9, at the end of line 15, delete "and the licensed university"

32 AMENDMENT NO. 18

33 On page 13, line 15, change "LMMTS.," to "LMMTS,"

34 AMENDMENT NO. 19

35 On page 13, line 23, change "all agents" to "the agent or agents"

36 AMENDMENT NO. 20

37 On page 14, at the beginning of line 10, change "Board of Pharmacy." to "Department of
38 Health," and at the end of the line change "board." to "department."

1 AMENDMENT NO. 21

2 On page 14, line 22, change "board," to "department,"

3 AMENDMENT NO. 22

4 On page 15, at the end of line 1, change "board" to "department"

5 AMENDMENT NO. 23

6 On page 15, at the beginning of line 2, delete "or its designee"

7 AMENDMENT NO. 24

8 On page 15, line 5, change "board review." to "review by the department."

9 AMENDMENT NO. 25

10 On page 15, at the end of line 10, change "board or its designee." to "department."

11 AMENDMENT NO. 26

12 On page 15, at the end of line 15, change "board." to "department."

13 AMENDMENT NO. 27

14 On page 15, line 20, change "board" to "department"

15 AMENDMENT NO. 28

16 On page 15, line 24, change "board or its designee" to "department"

17 AMENDMENT NO. 29

18 On page 16, line 10, change "Board of Pharmacy" to "Department of Health"

19 AMENDMENT NO. 30

20 On page 16, at the end of line 19, insert the following:

21 "The administrative rules of the Louisiana Department of Health shall allow for a
22 variance of no greater than plus fifteen percent or minus fifteen percent from the
23 labeled amount of active ingredients in the ingredient analysis or potency analysis."

24 AMENDMENT NO. 31

25 On page 16, line 24, change "a second" to "an"

26 AMENDMENT NO. 32

27 On page 16, line 26, change "the second" to "an"

28 AMENDMENT NO. 33

29 On page 16, at the end of line 28, change "the second" to "an"

30 AMENDMENT NO. 34

31 On page 17, line 6, change "R.S. 40:1046(H)(3)" to "R.S. 40:1046(C)(2)(h) and (H)(3)"

1 AMENDMENT NO. 35

2 On page 17, between lines 14 and 15, insert the following:

3 "Section 4. To prevent any disruption to the supply chain and to ensure
4 uninterrupted availability of products for patients, if not otherwise provided in this
5 Act, the Louisiana Department of Health shall temporarily follow the applicable
6 rules relative to marijuana for therapeutic use promulgated by the Department of
7 Agriculture and Forestry until such time as it adopts all necessary emergency rules
8 and permanent rules relating to cultivation, extraction, processing, production, and
9 transportation of marijuana for therapeutic use including but not limited to the
10 approval of product labels and packaging."

11 AMENDMENT NO. 36

12 On page 17, at the beginning of line 15, change "Section 4." to "Section 5."