
DIGEST

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HB 566 Engrossed

2022 Regular Session

Bagley

Abstract: Changes the state regulatory authority for medical marijuana production from the La. Dept. of Agriculture and Forestry to the La. Dept. of Health and removes a limitation on the number of production facility licenses.

Present law requires the La. Dept. of Agriculture and Forestry (LDAF) to develop rules and regulations regarding the extraction, processing, and production of recommended marijuana for therapeutic use, known commonly as medical marijuana. Requires LDAF to license and regulate medical marijuana production facilities.

Proposed law replaces LDAF with the La. Dept. of Health (LDH) as the state authority for licensure and regulation of medical marijuana production facilities.

Present law requires the number of production facility licenses issued within the state, outside of those granted to the Louisiana State University (LSU) and Southern University (SU) Agricultural Centers, to be limited to one. Provides that the license shall be awarded by competitive sealed bid process or competitive sealed proposal and only if LSU and SU decline to be licensed.

Proposed law removes the limitation on the number of licenses which may be issued and requires LDH to issue any new licenses pursuant to the procedures established in present law.

Proposed law stipulates that if the LSU and SU Agricultural Centers hold production facility licenses on July 1, 2023, then they may retain their licenses so long as each institution provides written notice to the secretary of LDH on or before August 1, 2023, of its intent to remain licensed and be regulated by LDH.

Present law authorizes LDAF to obtain criminal history record information for the purposes of determining suitability of medical marijuana production licensees and applicants for licensure. Proposed law revises present law to confer this authority on LDH.

Proposed law encompasses transfer provisions pursuant to which LDH becomes the successor in every way to LDAF for the purposes of regulating medical marijuana production.

Upon the effective date of proposed law, the provisions of proposed law effectuating the full succession of LDAF by LDH become effective on July 1, 2023.

Proposed law requires LDAF and LDH to take such actions prior to July 1, 2023, including but not

limited to amending, adopting, and repealing administrative rules, as are necessary to fully implement proposed law on that date.

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

(Amends R.S. 40:1046(H)(1)(a), (2)(a) and (b), (3), (4)(a) and (e), (6)(a)(intro. para.) and (b) and 1047(A)(4))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Make technical changes.