

2022 Regular Session

HOUSE BILL NO. 137

BY REPRESENTATIVES MARINO AND GLOVER

1 AN ACT

2 To amend and reenact R.S. 40:966(F)(1), relative to immunity from prosecution for medical  
3 marijuana; to provide that visiting qualifying patients shall be exempt from  
4 prosecution for certain violations of the Uniform Controlled Dangerous Substances  
5 Law; to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:966(F)(1) is hereby amended and reenacted to read as follows:

8 §966. Penalty for distribution or possession with intent to distribute narcotic drugs  
9 listed in Schedule I; possession of marijuana, synthetic cannabinoids, and  
10 heroin

11 \* \* \*

12 F. Immunity from prosecution. (1) Any person who is a patient of the  
13 state-sponsored medical marijuana program in Louisiana, and possesses medical  
14 marijuana in a form permissible under R.S. 40:1046 for a condition enumerated  
15 therein, a caregiver as defined in R.S. 15:1503, ~~or~~ any person who is a domiciliary  
16 parent of a minor child who possesses medical marijuana on behalf of his minor  
17 child in a form permissible under R.S. 40:1046 for a condition enumerated therein  
18 pursuant to a legitimate medical marijuana prescription or recommendation issued  
19 by a physician licensed by and in good standing with the Louisiana State Board of  
20 Medical Examiners, or any visiting qualifying patient as defined in R.S. 40:1046.1  
21 shall be exempt from the provisions of this Section. This Paragraph shall not prevent  
22 the arrest or prosecution of any person for diversion of marijuana or any of its

1 derivatives or other conduct outside the scope of the state-sponsored medical  
2 marijuana program.

3 \* \* \*

4 Section 2. This Act shall take effect and become operative if and when the Act  
5 which originated as House Bill No. 135 of this 2022 Regular Session of the Legislature is  
6 enacted and becomes effective.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_