AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

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

* * *

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

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Section 2. This Act shall take effect and become operative if and when the Act
which originated as House Bill No. 135 of this 2022 Regular Session of the Legislature is
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: ___________________