

ACT No. 439

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.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____