AN ACT

To amend and reenact R.S. 40:1046(H)(8)(a)(introductory paragraph), (i), (iii), and (b), relative to marijuana produced for therapeutic use; to provide for regulation by the Louisiana Department of Health of various aspects of production of marijuana for therapeutic use; to authorize the Louisiana Department of Health to charge and collect fees from contractors and other persons involved with therapeutic marijuana production; to provide for remittance to the Louisiana Department of Revenue of the proceeds of certain fees; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1.  R.S. 40:1046(H)(8)(a)(introductory paragraph), (i), (iii), and (b) are hereby amended and reenacted to read as follows:

§1046.  Recommendation and dispensing of marijuana for therapeutic use; rules and regulations of the Louisiana State Board of Medical Examiners and Louisiana Board of Pharmacy; production facility licensing; by the Department of Agriculture and Forestry permitting by the Louisiana Department of Health

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H.  

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

(i) Establish and collect an annual license fee of one hundred thousand dollars from each contractor permitted to cultivate, extract, process, produce, and transport therapeutic marijuana and an annual permit fee of one hundred dollars for administrative and inspection costs.

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CODING: Words in struck through type are deletions from existing law; words underscored are additions.
(iii) Assess a fee of seven percent of the gross sales of therapeutic marijuana. The fee shall be reported and paid by the licensed production facility or permitted contractor that sells therapeutic marijuana to marijuana pharmacies. The fee that shall be collected by the Department of Revenue and shall be subject to the provisions of Chapter 18 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 as amended. Notwithstanding the provisions of Subparagraph (b) of this Paragraph, the Department of Revenue shall transfer monthly to the state treasury for deposit into the Community and Family Support System Fund, as established in R.S. 28:826, the amount of revenues collected in accordance with this Item. An amount shall be allocated to the department, pursuant to legislative appropriation, for regulatory, administrative, investigative, enforcement, legal, and other such expenses as may be necessary to carry out the provisions of this Chapter and for activities associated with the enforcement of law and regulations governing the therapeutic marijuana program.

(b) All fees collected by the department shall be used to fund the expenses relating to the regulation and control of prescribed marijuana for therapeutic use.

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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