

## SENATE SUMMARY OF HOUSE AMENDMENTS

SB 94

2023 Regular Session

Kleinpeter

**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

CONTROL DANGER SUBSTANCE. Provides relative to certain substances that are listed in the Uniform Controlled Dangerous Substance Law. (8/1/23)

**SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL**

1. Creates the crime of unlawful sale or distribution of mitragynine speciosa to persons under 21 years of age and provide for penalties.
2. Authorizes a local option for local governments to enact an ordinance to prohibit the sale or distribution of mitragynine speciosa or to regulate the sale or distribution in a more restrictive manner than state law.
3. Repeals the contingent listing on the Uniform Controlled Dangerous Substance Law.

**DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE**

SB 94 Engrossed

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Present law provides for mitragynine speciosa to be added to the Uniform Controlled Dangerous Substances Law, the schedule to which such substance will be added is dependent upon the classification of the substance as a controlled dangerous substance by the Drug Enforcement Administration of the U.S.

Proposed law repeals present law.

Proposed law creates the crime of unlawful sale or distribution of mitragynine speciosa to persons under the age of 21 and provides that no person shall sell or distribute or cause to be sold or distributed a product containing mitragynine speciosa to any person under the age of 21.

Proposed law further provides that "mitragynine speciosa" means a product containing either or both of the following:

- (1) Mitragynine.
- (2) 7-Hydroxy-mitragynine.

Whoever violates proposed law shall be fined not more than \$500, imprisoned for not more than six months, or both.

Proposed law creates the "Local Option for Mitragynine Speciosa". Authorizes local governments to enact ordinances to prohibit the sale or distribution of mitragynine speciosa products or to regulate the sale or distribution of such products in a more restrictive manner than proposed law (R.S. 14:91.10).

Effective August 1, 2023.

(Adds R.S. 14:91.10 and R.S. 40:1300.51-1300.53; Repeals Act No. 231 of the 2019 R.S.)

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