

2025 Regular Session

HOUSE BILL NO. 36

BY REPRESENTATIVE SCHLEGEL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LIABILITY/CIVIL: Provides relative to consumable hemp

1 AN ACT

2 To amend and reenact R.S. 9:2800.62(2) and R.S. 9:2800.63(B)(1), relative to consumable
3 hemp products; to expand the definition of illegal controlled substance; to provide
4 for damages in certain circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2800.62(2) and 2800.63(B)(1) are hereby amended and reenacted
7 to read as follows:

8 §2800.62. Definitions

9 As used in this Chapter, unless the context requires otherwise:

10 * * *

11 (2) "Illegal controlled substance" means cocaine, phencyclidine, heroin, or
12 methamphetamine, a consumable hemp product as defined in R.S. 3:1481 in
13 violation of R.S. 3:1482 et seq., and any other illegal controlled dangerous substance
14 the possession or distribution of which is a violation of the Uniform Controlled
15 Dangerous Substances Law, R.S. 40:961 et seq.

16 * * *

17 §2800.63. Action for damages by persons other than the individual user

18 * * *

19 B. A person entitled to bring an action pursuant to Subsection A of this
20 Section may seek damages from one or more of the following:

- 1 (1) A person who sold, administered, or furnished an illegal controlled
2 substance to the individual user or consumable hemp as defined by R.S. 3:1481 to
3 a person under the age of twenty-one.

4 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 36 Engrossed

2025 Regular Session

Schlegel

Abstract: Adds consumable hemp to the La. Drug Dealer Liability Act.

Present law (R.S. 9:2800.62(2)) defines "illegal controlled substance" as cocaine, phencyclidine, heroin, or methamphetamine, and any other illegal controlled dangerous substance the possession or distribution of which is a violation present law.

Proposed law expands the definition of "illegal controlled substance" to include consumable hemp product as defined in R.S. 3:1481 (any product derived from industrial hemp that contains any cannabinoid, including cannabidiol or THC, and is intended for consumption or topical use) when it is in violation of R.S. 3:1482 (prohibitions) and other provisions of present law.

Present law (R.S. 9:2800.63(A)) provides a list of people who have a cause of action for damages caused by an individual's use of an illegal controlled substance. Present law (R.S. 9:2800.63(B)) also provides the circumstances which give rise to that cause of action.

Proposed law includes an action for damages when a person sells, administers, or furnishes consumable hemp to a person under the age of 21.

(Amends R.S. 9:2800.62(2) and 2800.63(B)(1))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Make technical changes.
2. Clarify that there is an action for damages when a person sells, administers, or furnishes consumable hemp to a person under the age of 21.