
DIGEST

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Woodruff

HB No. 906

Abstract: Reduces criminal penalties for possession of marijuana in quantities less than 28 grams.

Present law provides penalties for the possession of marijuana and synthetic cannabinoids. The penalties for possession for any amount less than 60 pounds are as follows:

- (1) For first conviction, the offender shall be fined not more than \$500, imprisoned in the parish jail for not more than six months, or both.
- (2) For a second conviction, the offender shall be fined not less than \$250 nor more than \$2,000, imprisoned with or without hard labor for not more than five years, or both.
- (3) For a third or subsequent conviction, the offender shall be sentenced to imprisonment with or without hard labor for not more than 20 years, and may, in addition, be sentenced to pay a fine of not more than \$5,000.

Proposed law retains present law penalties for the possession of marijuana and synthetic cannabinoids in amounts greater than 28 grams and less than 60 pounds.

Proposed law establishes penalties for the possession of marijuana in an amount less than 28 grams as follows:

- (1) On a first conviction, the offender shall be fined not less than \$50 nor more than \$100.
- (2) On a second conviction, the offender shall be fined not less than \$100 nor more than \$150.
- (3) On a third or subsequent conviction, the offender shall be fined not less than \$150 nor more than \$200, or placed on probation for not more than six months, or both.

Proposed law provides that if the court places the offender on probation, the probation shall provide for a minimum condition that he participate in a court-approved substance abuse program and perform four eight-hour days of court-approved community service activities. Any costs associated with probation shall be paid by the offender.

Proposed law retains the provisions of present law regarding synthetic cannabinoids and

prohibits the Habitual Offender Law from applying when all underlying criminal convictions are for possession of marijuana.

(Amends R.S. 40:966(E); Adds R.S. 15:529.1(A)(5))