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## DIGEST

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HB 117 Original

2015 Regular Session

Honore

**Abstract:** Enacts a proposition election to determine if marijuana usage should be decriminalized.

Present law provides for the regulation of Controlled Dangerous Substances, and prohibits the possession, distribution, dispensing, or possession with intent to distribute or dispense marijuana.

Proposed law authorizes the conducting of an election on Nov. 8, 2016, to determine whether the possession, distribution, or dispensing of marijuana, tetrahydrocannabinols, or chemical derivatives thereof by persons 21 years of age or older should no longer be a criminal offense in the state of La.

Proposed law provides that if a majority of the electors approve the proposition, then the possession, distribution, or dispensing of marijuana by persons 21 years of age or older shall no longer be a criminal offense subject to law subsequently enacted to provide for the regulation and taxation of marijuana sales. If the electors do not approve the proposition then marijuana remains illegal as provided for in present law.

Proposed law removes those criminal penalties contingent upon: (1) the voters approving the proposition provided for in proposed law, and (2) the legislature subsequently providing for a statutory regulatory system for the legal sale and distribution of marijuana and establishes a sales tax on those sales by Aug. 1, 2018.

(Amends R.S. 40:966(B)(3), (E), and (F); Adds R.S. 40:989.4; Repeals R.S. 40:964(Schedule I)(C)(19))