

2016 Regular Session

HOUSE BILL NO. 920

BY REPRESENTATIVE TALBOT

DRUGS/PRESCRIPTION: Provides relative to eligibility for a license to produce or dispense therapeutic marijuana

1 AN ACT

2 To amend and reenact R.S. 40:1046(I) and (J)(7) and to repeal R.S. 40:1046(D) and (J)(8),
3 relative to therapeutic marijuana; to provide for the eligibility for a dispensing
4 pharmacy license; to provide for the eligibility of a producer license; to repeal
5 outdated reporting requirements; to provide for an effective date; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1046(I) and (J)(7) is hereby amended and reenacted to read as
9 follows:

10 §1046. Prescription of marijuana for therapeutic use; rules and regulations;
11 ~~Louisiana Board of Pharmacy and the adoption of rules and regulations~~
12 ~~relating to the dispensing pharmacies; of prescribed marijuana for therapeutic~~
13 ~~use; the Department of Agriculture and Forestry and the licensure of a~~
14 ~~production facility~~

15 * * *

16 I.(a) The Louisiana Board of Pharmacy shall develop an annual,
17 nontransferable specialty license for a pharmacy to dispense prescribed marijuana
18 for therapeutic use and shall limit the number of such licenses granted in the state to
19 no more than ten licensees. The Louisiana Board of Pharmacy shall develop rules

1 and regulations regarding the geographical locations of dispensing pharmacies in
2 Louisiana.

3 (b) No person serving as a member of the Louisiana Board of Pharmacy shall
4 be eligible for a license issued pursuant to this Subsection.

5 J.

6 * * *

7 (7) All of the following are prohibited from receiving the license issued
8 pursuant to this Subsection:

9 (a) ~~No~~ Any company that has made a contribution to a candidate in a
10 Louisiana election governed by the provisions of the Campaign Finance Disclosure
11 Act within the five years prior to bidding for the license, or is controlled wholly or
12 in part by a person who made such a contribution within the five years prior to the
13 company bidding for the license, ~~may be eligible for the license.~~

14 (b) Any member of the Louisiana Board of Pharmacy.

15 Section 2. R.S. 40:1046(D) and (J)(8) are hereby repealed in their entirety.

16 Section 3. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 effective on the day following such approval.

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 920 Original

2016 Regular Session

Talbot

Abstract: Prohibits a member of the La. Board of Pharmacy from qualifying for a license to produce or dispense therapeutic marijuana.

Present law authorizes the Dept. of Agriculture and Forestry to issue a single license for the production of therapeutic marijuana. Present law further authorizes the La. Board of Pharmacy to issue a license for a dispensing pharmacy limited to no more than 10 licensees.

Proposed law prohibits a member of the La. Board of Pharmacy from qualifying for a license to produce or dispense therapeutic marijuana.

Present law requires the La. Pharmacy Board and the Dept. of Agriculture and Forestry to submit a report to the legislature no later than Jan. 1, 2016, with recommendations on possible fee amounts relative to their respective licensing authority.

Proposed law repeals outdated present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:1046(I) and (J)(7); Repeals R.S. 40:1046(D) and (J)(8))