

Regular Session, 2010

SENATE BILL NO. 561

BY SENATOR DONAHUE

CRIME/PUNISHMENT. Prohibits the sale, possession, use, and distribution of "K2" and provides for penalties. (8/15/10)

1 AN ACT

2 To enact R.S. 14:93.16, relative to public safety; to provide for the prohibition of selling a  
3 synthetic form of marijuana; to provide for definitions; to provide for penalties; and  
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:93.16 is hereby enacted to read as follows:

7 **§93.16. Synthetic form of marijuana; prohibitions**

8 **A. It is unlawful for any person to sell, distribute, purchase, possess, or**  
9 **use a synthetic form of marijuana, known as "K2" or "Spice."**

10 **B. (1)Whoever violates the provisions of this Section on a first conviction**  
11 **shall be fined not more than five hundred dollars, imprisoned in the parish jail**  
12 **for not more than six months, or both.**

13 **(2) On a second conviction for violation of this Section the offender shall**  
14 **be fined not more than two thousand dollars, imprisoned with or without hard**  
15 **labor for not more than five years, or both.**

16 **(3) On a third or subsequent conviction for violation of this Section, the**  
17 **offender shall be sentenced to imprisonment with or without hard labor for not**

- 1            **more than twenty years, and may, in addition, be sentenced to pay a fine of not**  
2            **more than five thousand dollars.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

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DIGEST

Proposed law prohibits for any person to sell, deliver, give away, purchase, possess, or use a synthetic form of marijuana, known as "K2" or "Spice."

Proposed law provides for the following penalties:

- (1)      Whoever violates proposed law on a first conviction shall be fined not more than \$500, imprisoned in the parish jail for not more than six months, or both.
- (2)      On a second conviction, the offender shall be fined not more than \$2,000, imprisoned with or without hard labor for not more than five years, or both.
- (3)      On 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.

Effective August 15, 2010.

(Adds R.S. 14:93.16)