

SENATE BILL NO. 576

BY SENATOR CLAITOR

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AN ACT

To amend and reenact R.S. 40:966(E)(2), relative to second offense possession of marijuana; to provide for a minimum fine; to require participation in substance abuse programs and community service in certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:966(E)(2) is hereby amended and reenacted to read as follows:

§966. Penalty for distribution or possession with intent to distribute narcotic drugs listed in Schedule I; possession of marijuana

* * *

E. Possession of marijuana.

* * *

(2) Except as provided in Subsection F or G of this Section, on a second conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol or chemical derivatives thereof, the offender shall be fined not less than two hundred fifty dollars, nor more than two thousand dollars, imprisoned with or without hard labor for not more than five years, or both.

If the court places the offender on probation, the probation shall provide for a minimum condition that he participate in a court-approved substance

1 abuse program and perform four eight-hour days of court-approved community
2 service activities. Any costs associated with probation shall be paid by the
3 offender.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____