

Stricken language would be deleted from and underlined language would be added to present law.  
Act 479 of the Regular Session

State of Arkansas  
91st General Assembly  
Regular Session, 2017

As Engrossed: S3/2/17  
**A Bill**

HOUSE BILL 1451

By: Representatives Drown, House  
By: Senator Irvin

### For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CONSTITUTION, AMENDMENT 98,  
ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA  
AMENDMENT OF 2016" REGARDING THE ARKANSAS NATIONAL  
GUARD AND THE UNITED STATES MILITARY; AND FOR OTHER  
PURPOSES.

### Subtitle

TO AMEND THE ARKANSAS MEDICAL MARIJUANA  
AMENDMENT OF 2016 REGARDING THE ARKANSAS  
NATIONAL GUARD AND THE UNITED STATES  
MILITARY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,  
also known as the "Arkansas Medical Marijuana Amendment of 2016", § 2(6),  
concerning the definition of "designated caregiver", is amended to read as  
follows:

(6)(A) "Designated caregiver" means a person who is at least  
twenty-one (21) years of age, has not been convicted of an excluded felony  
offense, has agreed to assist a physically disabled qualifying patient with  
the medical use of marijuana, and who has registered with the Department of  
Health under § 5 of this amendment.

(B) "Designated caregiver" includes without limitation a  
parent:

(i) Of a qualifying patient who is under the age of



eighteen (18); and

(ii) Required to register as a designated caregiver under this amendment.

(C) "Designated caregiver" shall not include a member of the Arkansas National Guard or the United States military;

SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", § 2(14), concerning the definition of "qualified patient", is amended to read as follows:

(14)(A) "Qualifying patient" means a person who has been diagnosed by a physician as having a qualifying medical condition and who has registered with the department under § 5 of this amendment.

(B) "Qualifying patient" shall not include a member of the Arkansas National Guard or the United States military;

SECTION 3. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", § 6(a)(2), concerning the scope of the Arkansas Medical Marijuana Amendment of 2016, is amended to read as follows:

(2) Possess, smoke, or otherwise engage in the use of marijuana:

(A) On a school bus;

(B) On the grounds of a daycare center, preschool, primary or secondary school, college, or university;

(C) At a drug or alcohol treatment facility;

(D) At a community or recreation center;

(E) In a correctional facility;

(F) On any form of public transportation; ~~or~~

(G) In a public place; or

(H) On any property that is under control of the Arkansas National Guard or the United State military; or

*/s/Drown*

**APPROVED: 03/14/2017**