

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H1/25/17
A Bill

HOUSE BILL 1049

By: Representative House
By: Senators Standridge, Irvin

For An Act To Be Entitled

AN ACT TO AMEND THE DEFINITION OF "EXCLUDED FELONY
OFFENSE" WITHIN THE ARKANSAS MEDICAL MARIJUANA
AMENDMENT OF 2016; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE DEFINITION OF "EXCLUDED
FELONY OFFENSE" WITHIN THE ARKANSAS
MEDICAL MARIJUANA AMENDMENT OF 2016.

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", Arkansas Constitution, Amendment 98, § 2(10), concerning the definition of "excluded felony offense", is amended to read as follows:

(10) "Excluded felony offense" means:

(A)(i)(a) A felony offense ~~involving violence~~ as determined by the jurisdiction where the felony offense occurred.

(b) The Medical Marijuana Commission, the Department of Health, or the Alcoholic Beverage Control Division shall determine whether an offense is a felony offense based upon a review of the relevant court records concerning the conviction for the offense.

(ii) ~~However, an~~ An offense that has been sealed by a court or for which a pardon has been granted is not considered an excluded felony offense; or

(B) A violation of a state or federal controlled-substance



law that was classified as a felony in the jurisdiction where the person was convicted, but not including:

(i) An offense for which the sentence, including any term of probation, incarceration, or supervised release, was completed ten (10) or more years earlier; or

(ii) An offense that has been sealed by a court or for which a pardon has been granted;

/s/House

APPROVED: 03/21/2017