

Stricken language would be deleted from and underlined language would be added to present law.
Act 545 of the Regular Session

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H1/18/17
A Bill

HOUSE BILL 1057

By: Representative House
By: Senator Standridge

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS MEDICAL MARIJUANA
AMENDMENT OF 2016; TO ADD CRIMINAL BACKGROUND CHECK
PROCEDURES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE ARKANSAS MEDICAL MARIJUANA
AMENDMENT OF 2016; AND TO ADD CRIMINAL
BACKGROUND CHECK PROCEDURES.

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, § 4(a), concerning the administration and enforcement of qualifying patients and designated caregivers, is amended to add a new subdivision to read as follows:

(4)(A) The Department of Health shall require each applicant for a designated caregiver registry identification card to apply for or authorize the Department of Health to obtain state and national criminal background checks to be conducted by the Identification Bureau of the Department of Arkansas State Police and the Federal Bureau of Investigation.

(B) The criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(C) The applicant shall authorize the release of the criminal background checks to the Department of Health and shall be responsible for the payment of any fee associated with the criminal



background checks.

(D) Upon completion of the criminal background checks, the Identification Bureau of the Department of Arkansas State Police shall forward to the Department of Health all information obtained concerning the applicant.

SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the Arkansas Medical Marijuana Amendment of 2016, § 8(k), concerning a criminal background check for a dispensary and cultivation facility, is amended to read as follows:

(k)(1) The commission ~~may~~ shall conduct a criminal ~~records~~ background check in order to carry out this section.

(2) The commission shall require each applicant for a dispensary license or cultivation facility license to apply for or authorize the commission to obtain state and national criminal background checks to be conducted by the Identification Bureau of the Department of Arkansas State Police and the Federal Bureau of Investigation.

(3) The criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(4) The applicant shall authorize the release of the criminal background checks to the commission and shall be responsible for the payment of any fee associated with the criminal background checks.

(5) Upon completion of the criminal background checks, the Identification Bureau of the Department of Arkansas State Police shall forward to the commission all information obtained concerning the applicant.

SECTION 3. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the Arkansas Medical Marijuana Amendment of 2016, § 9(d), concerning a criminal background check for a dispensary agent and cultivation facility agent, is amended to read as follows:

(d)(1) The division ~~may~~ shall conduct criminal ~~records~~ background checks in order to carry out this section.

(2) The division shall require each applicant for a dispensary agent license or cultivation facility agent license to apply for or authorize the division to obtain state and national criminal background checks to be conducted by the Identification Bureau of the Department of Arkansas State

Police and the Federal Bureau of Investigation.

(3) The criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(4) The applicant shall authorize the release of the criminal background checks to the division and shall be responsible for the payment of any fee associated with the criminal background checks.

(5) Upon completion of the criminal background checks, the Identification Bureau of the Department of Arkansas State Police shall forward to the division all information obtained concerning the applicant.

SECTION 4. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the Arkansas Medical Marijuana Amendment of 2016, § 9(f)(2), concerning a criminal background check for a dispensary agent or cultivation facility agent, is amended to read as follows:

(2) The division ~~may~~ shall conduct a criminal background check as described in subsection (d) of this section of each dispensary agent or cultivation facility agent in order to carry out this provision.

/s/House

APPROVED: 03/21/2017