

Stricken language would be deleted from and underlined language would be added to present law.

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*