

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: H1/30/17
A Bill

HOUSE BILL 1371

By: Representative House
By: Senator Irvin

For An Act To Be Entitled

AN ACT TO AMEND THE PROVISIONS OF THE ARKANSAS
MEDICAL MARIJUANA AMENDMENT OF 2016; TO AMEND THE
PROVISIONS CONCERNING OWNERSHIP INTEREST IN
DISPENSARIES AND CULTIVATION FACILITIES; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND THE PROVISIONS OF THE ARKANSAS
MEDICAL MARIJUANA AMENDMENT OF 2016; AND
TO AMEND THE PROVISIONS CONCERNING
OWNERSHIP INTEREST IN DISPENSARIES AND
CULTIVATION FACILITIES.

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, § 8(c), concerning the licensing of dispensaries and cultivation facilities, is amended to read as follows:

(c) The following individuals associated with a dispensary or cultivation facility shall be current residents of Arkansas who have resided in the state for the previous seven (7) consecutive years:

(1) The ~~individual(s)~~ individual or individuals submitting an application to license a dispensary or cultivation facility; and,

(2) ~~Sixty percent (60%) of the individuals~~ The individuals owning ~~an~~ at least a total of sixty percent (60%) interest in a dispensary or



cultivation facility.

SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas Constitution, Amendment 98, § 8(g)(2) and (2), concerning the licensing of dispensaries and cultivation facilities, is amended to read as follows:

(2) The application shall include without limitation the following:

(A) The application fee;

(B) The legal name of the dispensary or cultivation facility;

(C) The physical address of the:

(i) Dispensary, which location may not be within one thousand five hundred feet (1,500') of a public school, church, or daycare center existing before the date of the dispensary application; or

(ii) Cultivation facility, which location may not be within three thousand feet (3,000') of a public school, church, or daycare center existing before the date of the cultivation facility application;

(D) The name, address, and date of birth of each dispensary agent or cultivation facility agent; and

(E) If the city, town, or county in which the dispensary or cultivation facility would be located has enacted zoning restrictions, a sworn statement certifying that the dispensary or cultivation facility will operate in compliance with the restrictions.

~~(2)(3)(A)~~ The commission shall conduct a criminal background check on any individual who is an owner, board member, or officer of the dispensary or cultivation facility.

~~(B)~~ None of the owners, board members, or officers An owner, board member, or officer of the dispensary or cultivation facility shall not:

~~(A)(i)~~ Shall have Have been convicted of an excluded felony offense;

~~(B)(ii)~~ Shall have Have previously been an owner of a dispensary or cultivation facility that has had its license revoked; and

~~(C)(iii)~~ Shall be Be under twenty-one (21) years of age.

(4) The commission shall issue a license for a dispensary or cultivation facility only in the name of a natural person with an ownership interest in the dispensary or cultivation facility similar to the ownership interest requirements for permits issued by the Alcoholic Beverage Control Division for alcoholic beverages.

/s/House