

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: H3/7/17
A Bill

HOUSE BILL 1392

By: Representatives Lundstrum, Ballinger, Bentley, Fortner, Gonzales, Miller, B. Smith
By: Senator G. Stubblefield

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CONSTITUTION, AMENDMENT 98,
ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA
AMENDMENT OF 2016; TO BAN USE OF MEDICAL MARIJUANA IN
FOOD AND DRINK UNLESS A QUALIFYING PATIENT OR
DESIGNATED CAREGIVER INCORPORATES USABLE MARIJUANA
INTO FOOD OR DRINK TO AID IN THE INGESTION OF MEDICAL
MARIJUANA FOR A QUALIFYING PATIENT; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND ARKANSAS CONSTITUTION, AMENDMENT
98; AND TO BAN USE OF MEDICAL MARIJUANA
IN FOOD AND DRINK UNLESS IN CERTAIN
CIRCUMSTANCES.

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, § 6(a), concerning the scope of the Arkansas
Medical Marijuana Amendment of 2016, is amended to read as follows:

- (a) This amendment does not permit a person to:
 - (1) Undertake any task under the influence of marijuana when
doing so would constitute negligence or professional malpractice;
 - (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~~

(3) Operate, navigate, or be in actual physical control of a motor vehicle, aircraft, motorized watercraft, or any other vehicle drawn by power other than muscle power while under the influence of marijuana; or

(4)(A) Except as provided in subdivision (a)(4)(B) of this section, manufacture, sell, offer for purchase, exchange for consideration, or consume food or drink that contains usable marijuana.

(B) A qualifying patient, designated caregiver, or licensed healthcare provider in a hospital may incorporate usable marijuana into food or drink to aid ingestion of the medical marijuana by a qualifying patient.

/s/Lundstrum