

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

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

SENATE BILL 333

By: Senator G. Stubblefield

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

## 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:

- (i) Combine usable marijuana with food or drink; or
- (ii) Manufacture, sell, offer for purchase, exchange for consideration, or consume food or drink that has been combined with usable marijuana.

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