

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

SENATE BILL 357

By: Senators Rapert, G. Stubblefield

By: Representative Lundstrum

## For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016; TO PROHIBIT THE SMOKING OF MARIJUANA IN ANY LOCATION IN ARKANSAS; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016; AND TO PROHIBIT THE SMOKING OF MARIJUANA IN ANY LOCATION IN ARKANSAS.

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", § 6, is amended to read as follows:

§ 6. Scope.

(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) Smoke marijuana in any location in Arkansas.

(b) This amendment does not require:

(1) A government medical assistance program or private health insurer to reimburse a person for costs associated with the medical use of marijuana unless federal law requires reimbursement;

(2) An employer to accommodate the ingestion of marijuana in a workplace or an employee working while under the influence of marijuana;

(3) An individual or establishment in lawful possession of property to allow a guest, client, customer, or other visitor to use marijuana on or in that property; or

(4) An individual or establishment in lawful possession of property to admit a guest, client, customer, or other visitor who is inebriated as a result of his or her medical ~~used~~ use of marijuana; ~~or~~

~~(5) A landlord to permit a qualifying patient to smoke marijuana on or in leased property, except that a landlord may not prohibit the medical use of marijuana through means other than smoking on leased property by a qualifying patient.~~