

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

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: H4/8/19  
**A Bill**

SENATE BILL 665

By: Senator T. Garner  
By: Representative Wardlaw

### **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 ADD A FACILITY FOR INDIVIDUALS  
WITH DEVELOPMENTAL DISABILITIES TO THE DISTANCE  
*REQUIREMENTS FOR A DISPENSARY; TO DECLARE AN  
EMERGENCY; AND FOR OTHER PURPOSES.*

### **Subtitle**

*TO AMEND THE ARKANSAS MEDICAL MARIJUANA  
AMENDMENT OF 2016; TO ADD A FACILITY FOR  
INDIVIDUALS WITH DEVELOPMENTAL  
DISABILITIES TO THE DISTANCE REQUIREMENTS  
FOR A DISPENSARY; AND TO DECLARE AN  
EMERGENCY.*

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(g)(2)(C)(i), concerning the licensing of dispensaries and cultivation facilities, is amended to read as follows:

(i)(a) Dispensary, the location of which may not be within one thousand five hundred feet (1,500') of a public or private school, church, ~~or~~ daycare center, or facility for individuals with developmental disabilities existing before the date of the dispensary application, which shall be calculated from the primary entrance of the dispensary to the



nearest property boundary of a public or private school, church, ~~or~~ daycare center, or facility for individuals with developmental disabilities.

(b) Subdivision (g)(2)(C)(i)(a) of this section does not apply to or impact existing locations of dispensaries issued a license before the effective date of this subdivision (g)(2)(C)(i)(b) that may be located within one thousand five hundred feet (1,500') of a facility for individuals with developmental disabilities; or

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that it is necessary to protect the individuals with developmental disabilities; that the current restriction on the location of a medical marijuana dispensary is in place for schools, churches, and daycare centers; and that this act is immediately necessary because the State of Arkansas needs to ensure the protection of the vulnerable citizens of the State of Arkansas. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/T. Garner