

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

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H3/4/21  
**A Bill**

SENATE BILL 226

By: Senator L. Chesterfield

### **For An Act To Be Entitled**

AN ACT REQUIRING THE LEGISLATIVE COUNCIL TO ESTABLISH  
THE MEDICAL MARIJUANA ADVISORY SUBCOMMITTEE TO  
PROVIDE ADVICE RELATED TO ARKANSAS CONSTITUTION,  
AMENDMENT 98; AND FOR OTHER PURPOSES.

### **Subtitle**

*REQUIRING THE ESTABLISHMENT OF THE  
MEDICAL MARIJUANA ADVISORY SUBCOMMITTEE  
OF THE LEGISLATIVE COUNCIL TO PROVIDE  
ADVICE RELATED TO ARKANSAS CONSTITUTION,  
AMENDMENT 98.*

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 10, Chapter 3, Subchapter 3, is amended to add an additional section to read as follows:

10-3-319. Medical Marijuana Advisory Subcommittee.

(a) The Legislative Council shall establish by rule the Medical Marijuana Advisory Subcommittee, which shall provide advice on all matters related to Arkansas Constitution, Amendment 98.

(b) All matters pertaining to the following may be referred to the Medical Marijuana Advisory Subcommittee:

(1) Licensing and operation of dispensaries and cultivation facilities;

(2) Registration and certification of cultivation facility agents and dispensary agents;

(3) Licensure of transporters, distributors, and processors;



(4) Registration and certification of transporter agents, distributor agents, and processor agents;

(5) Qualifying medical conditions for the medical use of marijuana;

(6) The taxation and distribution of medical marijuana proceeds;

(7) Rules promulgated by one (1) or more of the following state agencies regarding the implementation, administration, or enforcement of Arkansas Constitution, Amendment 98:

(A) The Alcoholic Beverage Control Division;

(B) The Department of Health;

(C) The Medical Marijuana Commission; and

(D) Any other state agency involved with the implementation, administration, or enforcement of Arkansas Constitution, Amendment 98;

(8) Proposed contracts of one (1) or more of the following state agencies in the amount of twenty-five thousand dollars (\$25,000) or more that relate to the implementation, administration, or enforcement of Arkansas Constitution, Amendment 98:

(A) The Alcoholic Beverage Control Division;

(B) The Department of Health;

(C) The Medical Marijuana Commission; and

(D) Any other state agency involved with the implementation, administration, or enforcement of Arkansas Constitution, Amendment 98; and

(9) Such other matters related to medical marijuana as the *Medical Marijuana Advisory Subcommittee* considers necessary to provide its advice on all matters related to Arkansas Constitution, Amendment 98.

(c)(1) Except as provided in subdivision (c)(2) of this section, if a matter referred to the *Medical Marijuana Advisory Subcommittee* under subsection (b) of this section would otherwise require review or approval, or both, by a subcommittee of the Legislative Council, the *Medical Marijuana Advisory Subcommittee* shall serve as the subcommittee of the Legislative Council that performs the required review or approval, or both, of the matter.

(2) Proposed rules submitted to the *Medical Marijuana Advisory Subcommittee* under this section are not subject to approval by the *Medical*

Marijuana Advisory Subcommittee but are submitted for review purposes only.

(d)(1) During a regular, fiscal, or extraordinary session of the General Assembly, the Joint Budget Committee shall perform the functions assigned to the Medical Marijuana Advisory Subcommittee.

(2) The Joint Budget Committee may establish a subcommittee to perform the functions of the Medical Marijuana Advisory Subcommittee that are assigned to the Joint Budget Committee under subdivision (d)(1) of this section.

*/s/L. Chesterfield*