

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1889

By: Representative Pilkington

By: Senator J. Bryant

For An Act To Be Entitled

AN ACT TO AMEND THE LIMITATIONS ON ACCESS TO A DISPENSARY OR CULTIVATION FACILITY; TO AUTHORIZE A DISPENSARY TO DELIVER ORDERS VIA A DELIVERY VEHICLE OR VIA A DRIVE-THROUGH WINDOW; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LIMITATIONS ON ACCESS TO A DISPENSARY OR CULTIVATION FACILITY; AND TO AUTHORIZE A DISPENSARY TO DELIVER ORDERS VIA A DELIVERY VEHICLE OR VIA A DRIVE-THROUGH WINDOW.

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

SECTION 1. Arkansas Code § 20-56-303(b), concerning the limitations on access to a dispensary or cultivation facility, is amended to read as follows:

(b)(1) A cultivation facility or dispensary may allow access by visitors to restricted areas of the cultivation facility or dispensary if:

(A) The visitor:

(i) Presents a government-issued identification upon entry;

(ii) Wears a visitor designation tag at all times;

(iii) Is escorted by authorized personnel at all times in the cultivation facility;

(iv) Is not a minor; and



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(v) Has been invited by the cultivation facility or management personnel of the cultivation facility or dispensary; and

(B) The cultivation facility or dispensary maintains:

(i) A log book recording the name, address, and purpose of the visit for each visitor; and

(ii) Video surveillance of the restricted areas.

(2)(A) A parent with a registry identification card or a designated caregiver registry identification card may bring his or her child or children into a dispensary ~~or cultivation facility~~ for the purpose of purchasing usable marijuana.

(B) A parent without a designated caregiver registry identification card or registry identification card may accompany his or her child who has a registry identification card into a dispensary ~~or cultivation facility~~ for the purpose of purchasing usable marijuana for the child or children.

SECTION 2. Arkansas Code Title 20, Chapter 56, Subchapter 3, is amended to add an additional section to read as follows:

20-56-309. Authorized deliveries by dispensary via delivery vehicle and drive-through window.

(a)(1) A dispensary may deliver usable marijuana to a qualified patient or designated caregiver at a residential address via a delivery vehicle.

(2) The delivery may only occur on the date that the order is processed.

(3)(A) A delivery manifest shall accompany the delivery vehicle.

(B) Each delivery shall:

(i) Be packaged separately; and

(ii) Include a delivery ticket listing all products to be delivered and the name and registry identification card information of the purchasing qualified patient or designated caregiver.

(4) Before delivery of the usable marijuana, the delivery driver shall visually confirm the validity of the registry identification card of the qualified patient or designated caregiver who submitted the order and verify that the information matches the delivery ticket.

(5) A vehicle delivering usable marijuana to a qualified patient

or a designated caregiver may be staffed with a single dispensary employee if the vehicle is equipped with additional security measures, such as global positioning system or real-time camera monitoring.

(b)(1) A dispensary may deliver usable marijuana to a qualified patient or designated caregiver via a drive-through window located at the dispensary.

(2) The delivery via a drive-through window may only occur on the date that the order is processed.

(3) Only patients with previously submitted online orders may receive delivery via a drive-through window.

(4) Each drive-through window delivery shall:

(A) Be packaged separately in an opaque exit bag; and

(B) Include a delivery ticket listing all products to be delivered and the name and registry identification card information for the purchasing qualified patient or designated caregiver.

(5) Before delivery of the usable marijuana via the drive-through window, the dispensary employee shall visually confirm the validity of the registry identification card of the qualified patient or designated caregiver who submitted the order and verify that the information matches the delivery ticket.

(6) The drive-through window shall:

(A) Be tinted to ensure that the interior of the dispensary is not visible through the exterior of the drive-through window;

(B) Be secure from unauthorized access; and

(C) Use a bank style delivery drawer for the exchange of registry identification cards, payment, and usable marijuana packaged in an exit bag.

(c) The Alcoholic Beverage Control Division may promulgate rules to implement this section.