

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 357

5 By: Senators Rapert, G. Stubblefield
6 By: Representative Lundstrum
7

For An Act To Be Entitled

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

15 TO AMEND THE ARKANSAS MEDICAL MARIJUANA
16 AMENDMENT OF 2016; AND TO PROHIBIT THE
17 SMOKING OF MARIJUANA IN ANY LOCATION IN
18 ARKANSAS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
25 also known as the "Arkansas Medical Marijuana Amendment of 2016", § 6, is
26 amended to read as follows:

27 § 6. Scope.

28 (a) This amendment does not permit a person to:

29 (1) Undertake any task under the influence of marijuana when
30 doing so would constitute negligence or professional malpractice;

31 (2) Possess, smoke, or otherwise engage in the use of marijuana:

32 (A) On a school bus;

33 (B) On the grounds of a daycare center, preschool, primary
34 or secondary school, college, or university;

35 (C) At a drug or alcohol treatment facility;

36 (D) At a community or recreation center;



- 1 (E) In a correctional facility;
- 2 (F) On any form of public transportation; or
- 3 (G) In a public place; ~~or~~

4 (3) Operate, navigate, or be in actual physical control of a
 5 motor vehicle, aircraft, motorized watercraft, or any other vehicle drawn by
 6 power other than muscle power while under the influence of marijuana; or

7 (4) Smoke marijuana in any location in Arkansas.

8 (b) This amendment does not require:

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

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

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

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

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

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