

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

*As Engrossed: H1/30/17*

# A Bill

HOUSE BILL 1371

5 By: Representative House  
6 By: Senator Irvin  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE PROVISIONS OF THE ARKANSAS  
10 MEDICAL MARIJUANA AMENDMENT OF 2016; TO AMEND THE  
11 PROVISIONS CONCERNING OWNERSHIP INTEREST IN  
12 DISPENSARIES AND CULTIVATION FACILITIES; AND FOR  
13 OTHER PURPOSES.  
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## Subtitle

16 TO AMEND THE PROVISIONS OF THE ARKANSAS  
17 MEDICAL MARIJUANA AMENDMENT OF 2016; AND  
18 TO AMEND THE PROVISIONS CONCERNING  
19 OWNERSHIP INTEREST IN DISPENSARIES AND  
20 CULTIVATION FACILITIES.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,  
27 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas  
28 Constitution, Amendment 98, § 8(c), concerning the licensing of dispensaries  
29 and cultivation facilities, is amended to read as follows:

30 (c) The following individuals associated with a dispensary or  
31 cultivation facility shall be current residents of Arkansas who have resided  
32 in the state for the previous seven (7) consecutive years:

33 (1) The ~~individual(s)~~ individual or individuals submitting an  
34 application to license a dispensary or cultivation facility; and,

35 (2) ~~Sixty percent (60%) of the individuals~~ The individuals  
36 ~~owning an~~ at least a total of sixty percent (60%) interest in a dispensary or



1 cultivation facility.

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3 SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98,  
4 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas  
5 Constitution, Amendment 98, § 8(g)(2) and (2), concerning the licensing of  
6 dispensaries and cultivation facilities, is amended to read as follows:

7 (2) The application shall include without limitation the  
8 following:

9 (A) The application fee;

10 (B) The legal name of the dispensary or cultivation  
11 facility;

12 (C) The physical address of the:

13 (i) Dispensary, which location may not be within one  
14 thousand five hundred feet (1,500') of a public school, church, or daycare  
15 center existing before the date of the dispensary application; or

16 (ii) Cultivation facility, which location may not be  
17 within three thousand feet (3,000') of a public school, church, or daycare  
18 center existing before the date of the cultivation facility application;

19 (D) The name, address, and date of birth of each  
20 dispensary agent or cultivation facility agent; and

21 (E) If the city, town, or county in which the dispensary  
22 or cultivation facility would be located has enacted zoning restrictions, a  
23 sworn statement certifying that the dispensary or cultivation facility will  
24 operate in compliance with the restrictions.

25 ~~(2)(3)(A)~~ The commission shall conduct a criminal background  
26 check on any individual who is an owner, board member, or officer of the  
27 dispensary or cultivation facility.

28 ~~(B) None of the owners, board members, or officers~~ An  
29 owner, board member, or officer of the dispensary or cultivation facility  
30 shall not:

31 ~~(A)(i) Shall have~~ Have been convicted of an excluded  
32 felony offense;

33 ~~(B)(ii) Shall have~~ Have previously been an owner of  
34 a dispensary or cultivation facility that has had its license revoked; and

35 ~~(C)(iii) Shall be~~ Be under twenty-one (21) years of  
36 age.

