

ARKANSAS SENATE
92nd General Assembly - Regular Session, 2019
Amendment Form

Subtitle of Senate Bill No. 440

TO AMEND ARKANSAS CONSTITUTION, AMENDMENT 98; AND TO BAN USE OF MEDICAL
MARIJUANA IN FOOD AND DRINK EXCEPT IN CERTAIN CIRCUMSTANCES.

Amendment No. 1 to Senate Bill 440

Amend Senate Bill No. 440 as originally introduced:

Delete Senator B. Davis as a cosponsor of the bill

AND

Page 1, delete lines 9 through 11, and substitute the following:
"AN ACT TO BAN USE OF MEDICAL MARIJUANA"

AND

Delete the subtitle in its entirety and substitute:

"TO BAN USE OF MEDICAL MARIJUANA IN FOOD
AND DRINK EXCEPT IN CERTAIN
CIRCUMSTANCES."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. DO NOT CODIFY. Legislative findings and intent.

(a) The General Assembly finds that:

(1) Arkansas Constitution, Amendment 98, also known as the
"Arkansas Medical Marijuana Amendment of 2019", creates a medical marijuana
program and authorizes the use of medical marijuana for certain medical
conditions;

(2) As with other medications, proper care and safety
precautions are necessary to protect children and adults;

(3) Neither the Arkansas Code nor the Arkansas Constitution,
Amendment 98, specify the regulation of the manufacturing and processing of
medical marijuana; and



(4) It is necessary to protect the public health, safety, and welfare of the citizens of Arkansas to specify the regulation of the manufacturing and processing of medical marijuana medical marijuana.

(b) It is the intent of this act to prohibit certain manufacturing and processing of medical marijuana medical marijuana.

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

20-56-305. Prohibitions on manufacturing and processing medical marijuana.

A cultivation facility, dispensary, or processor shall not process or manufacture a medical marijuana product for consumption that:

(1) Is likely to appeal to minors by its shape or design, including without limitation:

(A) Products that are modeled after noncannabis products primarily consumed by and marketed to children;

(B) Products in the shape of an animal, vehicle, person, or character; and

(C) Products that closely resemble familiar food and drink items that are attractive to minors, regardless of whether the familiar food and drink item is a generic or branded product, including without limitation candy, cookies, and brownies; and

(2) Is made by applying cannabinoid concentrates or extracts to commercially available candy, food, or beverages."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Bledsoe

JMB/JMB - 03-12-2019 12:12:36

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Secretary