

INTERIM STUDY PROPOSAL 2021-007

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

JMB/JMB
HOUSE BILL

By: Representative Ladyman

Filed with: House Committee on Public Health, Welfare, and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS HEMP AND MEDICAL
MARIJUANA QUALITY ASSURANCE LABORATORY FOR PUBLIC
SAFETY AND COMPLIANCE VERIFICATION PURPOSES; AND FOR
OTHER PURPOSES.

Subtitle

TO CREATE THE ARKANSAS HEMP AND MEDICAL
MARIJUANA QUALITY ASSURANCE LABORATORY
FOR PUBLIC SAFETY AND COMPLIANCE
VERIFICATION PURPOSES.

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

SECTION 1. Arkansas Code Title 20, Chapter 56, Subchapter 3, is amended to add an additional section to read as follows:

20-56-307. Arkansas Hemp and Medical Marijuana Quality Assurance Laboratory.

(a) The Department of Health shall establish the Arkansas Hemp and Medical Marijuana Quality Assurance Laboratory to conduct compliance and quality assurance testing of hemp and medical marijuana licensees, including testing laboratories, processors, growers, and cultivation facilities licensed in this state.

(b) The Arkansas Hemp and Medical Marijuana Quality Assurance Laboratory shall work in conjunction with the private sector through a

1 contracted laboratory that shall be licensed by the department for hemp and
2 medical marijuana testing in this state.

3 (c)(1) A laboratory contracted for compliance and quality assurance
4 testing in this state shall:

5 (A) Have a minimum of two (2) years of medical marijuana
6 testing licensure in another state;

7 (B) Have experience in medical testing; and

8 (C) Currently be, or have previously been, contracted for
9 quality assurance testing for medical marijuana in another state within the
10 last year.

11 (2) The contracted laboratory for compliance testing shall:

12 (A) Be a licensed laboratory in this state or obtain a
13 laboratory license before submitting a bid with the department;

14 (B) Not be owned by a person employed by the department or
15 other government agency or serving on the Medical Marijuana Commission;

16 (C) Not employ or contract with a person employed by the
17 department or other government agencies or serving on the commission;

18 (D) Provide compliance and quality assurance testing and
19 be managed by the department, but shall also be accessible and utilized for
20 other agencies overseeing compliance for the medical marijuana industry
21 within the state, including without limitation the Identification Bureau of
22 the Division of Arkansas State Police, the Department of Agriculture, the
23 Alcohol Beverage Control Board, the Office of the Attorney General, or any
24 law enforcement agency; and

25 (E) Provide all compliance testing on location and not
26 refer out any testing to any secondary laboratory.

27 (d)(1) A laboratory shall submit, in a request for proposal, a
28 proposal to be reviewed, scored and offered for contract by the department.

29 (2) The department shall complete the contracting process and
30 have the compliance and quality assurance testing laboratory operational no
31 later than October 1, 2021.

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34 Referred by Representative Ladyman

35 Prepared by: JMB/JMB

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