State of Arkansas  

91st General Assembly  

Regular Session, 2017  

By: Representative House  

By: Senator Standridge  

For An Act To Be Entitled  

AN ACT TO AMEND THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016; TO ADD CRIMINAL BACKGROUND CHECK PROCEDURES; AND FOR OTHER PURPOSES.  

Subtitle  

TO AMEND THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016; AND TO ADD CRIMINAL BACKGROUND CHECK PROCEDURES.  

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

SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the Arkansas Medical Marijuana Amendment of 2016, § 4(a), concerning the administration and enforcement of qualifying patients and designated caregivers, is amended to add a new subdivision to read as follows:  

(4)(A) The Department of Health shall require each applicant for a designated caregiver registry identification card to apply for or authorize the Department of Health to obtain state and national criminal background checks to be conducted by the Identification Bureau of the Department of Arkansas State Police and the Federal Bureau of Investigation.  

(B) The criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.  

(C) The applicant shall authorize the release of the criminal background checks to the Department of Health and shall be responsible for the payment of any fee associated with the criminal background checks.  

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background checks.

(D) Upon completion of the criminal background checks, the Identification Bureau of the Department of Arkansas State Police shall forward to the Department of Health all information obtained concerning the applicant.

SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the Arkansas Medical Marijuana Amendment of 2016, § 8(k), concerning a criminal background check for a dispensary and cultivation facility, is amended to read as follows:

(k)(1) The commission may shall conduct a criminal records background check in order to carry out this section.

(2) The commission shall require each applicant for a dispensary license or cultivation facility license to apply for or authorize the commission to obtain state and national criminal background checks to be conducted by the Identification Bureau of the Department of Arkansas State Police and the Federal Bureau of Investigation.

(3) The criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(4) The applicant shall authorize the release of the criminal background checks to the commission and shall be responsible for the payment of any fee associated with the criminal background checks.

(5) Upon completion of the criminal background checks, the Identification Bureau of the Department of Arkansas State Police shall forward to the commission all information obtained concerning the applicant.

SECTION 3. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the Arkansas Medical Marijuana Amendment of 2016, § 9(d), concerning a criminal background check for a dispensary agent and cultivation facility agent, is amended to read as follows:

(d)(1) The division may shall conduct criminal records background checks in order to carry out this section.

(2) The division shall require each applicant for a dispensary agent license or cultivation facility agent license to apply for or authorize the division to obtain state and national criminal background checks to be conducted by the Identification Bureau of the Department of Arkansas State Police and the Federal Bureau of Investigation.
Police and the Federal Bureau of Investigation.

(3) The criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(4) The applicant shall authorize the release of the criminal background checks to the division and shall be responsible for the payment of any fee associated with the criminal background checks.

(5) Upon completion of the criminal background checks, the Identification Bureau of the Department of Arkansas State Police shall forward to the division all information obtained concerning the applicant.

SECTION 4. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the Arkansas Medical Marijuana Amendment of 2016, § 9(f)(2), concerning a criminal background check for a dispensary agent or cultivation facility agent, is amended to read as follows:

(2) The division may shall conduct a criminal background check as described in subsection (d) of this section of each dispensary agent or cultivation facility agent in order to carry out this provision.

/s/House

APPROVED: 03/21/2017