

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H4/8/19

A Bill

SENATE BILL 665

5 By: Senator T. Garner
6 By: Representative Wardlaw
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CONSTITUTION, AMENDMENT 98,
10 ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA
11 AMENDMENT OF 2016"; TO ADD A FACILITY FOR INDIVIDUALS
12 WITH DEVELOPMENTAL DISABILITIES TO THE DISTANCE
13 REQUIREMENTS FOR A DISPENSARY; TO DECLARE AN
14 EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

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18 TO AMEND THE ARKANSAS MEDICAL MARIJUANA
19 AMENDMENT OF 2016; TO ADD A FACILITY FOR
20 INDIVIDUALS WITH DEVELOPMENTAL
21 DISABILITIES TO THE DISTANCE REQUIREMENTS
22 FOR A DISPENSARY; AND TO DECLARE AN
23 EMERGENCY.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
29 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas
30 Constitution, Amendment 98, § 8(g)(2)(C)(i), concerning the licensing of
31 dispensaries and cultivation facilities, is amended to read as follows:

32 (i)(a) Dispensary, the location of which may not be
33 within one thousand five hundred feet (1,500') of a public or private school,
34 church, ~~or~~ daycare center, or facility for individuals with developmental
35 disabilities existing before the date of the dispensary application, which
36 shall be calculated from the primary entrance of the dispensary to the



1 nearest property boundary of a public or private school, church, ~~or~~ daycare
2 center, or facility for individuals with developmental disabilities.

3 (b) Subdivision (g)(2)(C)(i)(a) of this
4 section does not apply to or impact existing locations of dispensaries issued
5 a license before the effective date of this subdivision (g)(2)(C)(i)(b) that
6 may be located within one thousand five hundred feet (1,500') of a facility
7 for individuals with developmental disabilities; or

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9 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
10 General Assembly of the State of Arkansas that it is necessary to protect the
11 individuals with developmental disabilities; that the current restriction on
12 the location of a medical marijuana dispensary is in place for schools,
13 churches, and daycare centers; and that this act is immediately necessary
14 because the State of Arkansas needs to ensure the protection of the
15 vulnerable citizens of the State of Arkansas. Therefore, an emergency is
16 declared to exist, and this act being immediately necessary for the
17 preservation of the public peace, health, and safety shall become effective
18 on:

19 (1) The date of its approval by the Governor;

20 (2) If the bill is neither approved nor vetoed by the Governor,
21 the expiration of the period of time during which the Governor may veto the
22 bill; or

23 (3) If the bill is vetoed by the Governor and the veto is
24 overridden, the date the last house overrides the veto.

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26 /s/T. Garner

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29 APPROVED: 4/15/19