

# Hall of the House of Representatives

91st General Assembly - Regular Session, 2017

## Amendment Form

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### Subtitle of House Bill No. 1370

TO AMEND THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016; AND TO AUTHORIZE THE MEDICAL MARIJUANA COMMISSION TO REGULATE ADVERTISING, MARKETING, PACKAGING, AND PROMOTION OF DISPENSARIES AND CULTIVATION FACILITIES.

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### Amendment No. 1 to House Bill No. 1370

Amend House Bill No. 1370 as originally introduced:

Page 1, delete lines 11 and 13, and substitute the following:  
"AMENDMENT OF 2016"; TO AUTHORIZE REGULATION OF ADVERTISING, MARKETING, PACKAGING, AND"

AND

Delete the subtitle in its entirety and substitute:

"TO AMEND THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016; AND TO AUTHORIZE REGULATION OF ADVERTISING, MARKETING, PACKAGING, AND PROMOTION OF DISPENSARIES AND CULTIVATION FACILITIES."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas Constitution, Amendment 98, § 8(e), concerning the licensure of dispensaries and cultivation facilities, as amended by Acts 2017, No. 4, is amended to read as follows:

(e) Not later than one hundred eighty (180) days after the effective date of this amendment, the division shall adopt rules governing:

- (1) Oversight requirements for dispensaries and cultivation facilities;
- (2) Recordkeeping requirements for dispensaries and cultivation facilities;
- (3) Security requirements for dispensaries and cultivation facilities;
- (4) Personnel requirements for dispensaries and cultivation



facilities;

(5) The manufacture, processing, packaging, and dispensing of usable marijuana to qualifying patients and designated caregivers;

(6) Procedures for suspending or terminating the licenses of dispensaries and cultivation facilities that violate the provisions of this amendment or the rules adopted under this amendment, procedures for appealing penalties, and a schedule of penalties;

(7) Procedures for inspections and investigations of dispensaries and cultivation facilities;

(8) Advertising restrictions for dispensaries and cultivation facilities, including without limitation the advertising, marketing, packaging, and promotion of dispensaries and cultivation facilities with the purpose to avoid making the product of a dispensary or a cultivation facility appealing to children, including without limitation:

(A) Artwork;

(B) Building signage;

(C) Product design, including without limitation shapes and flavors;

(D) Child-proof packaging that cannot be opened by a child or that prevents ready access to toxic or harmful amount of the product, and that meets the testing requirements in accordance with the method described in 16 C.F.R. § 1700.20, as existing on January 1, 2017;

(E) Indoor displays that can be seen from outside the dispensary or cultivation facility; and

(F) Other forms of marketing related to medical marijuana;

(9) Procedures for the disposal or other use of marijuana not dispensed to a qualifying patient; and

(10) Any other matters necessary to the division's fair, impartial, stringent, and comprehensive administration of its duties under this amendment."

The Amendment was read \_\_\_\_\_

By: Representative House

JMB/JMB - 01-27-2017 11:26:33

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Chief Clerk