

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: H3/8/21 H3/9/21

# A Bill

HOUSE BILL 1525

5 By: Representative Lundstrum  
6 By: Senator Bledsoe  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING THE UNLAWFUL POSSESSION,  
10 TRANSPORTATION, AND USE OF MEDICAL MARIJUANA; AND FOR  
11 OTHER PURPOSES.  
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### Subtitle

15 CONCERNING THE UNLAWFUL POSSESSION,  
16 TRANSPORTATION, AND USE OF MEDICAL  
17 MARIJUANA.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Title 5, Chapter 71, Subchapter 2, is amended  
23 to add an additional section to read as follows:

24 5-71-219. Unlawful possession, transportation, and use of medical  
25 marijuana.

26 (a) As used in this section:

27 (1) "Cultivation facility" means the same as defined in the  
28 Arkansas Medical Marijuana Amendment of 2016, Arkansas Constitution,  
29 Amendment 98;

30 (2) "Dispensary" means the same as defined in the Arkansas  
31 Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98;

32 (3) "Medical marijuana" means marijuana lawfully possessed,  
33 transported, or used for a medical use under state law; and

34 (4) "Medical use" means the same as defined in the Arkansas  
35 Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98.

36 (b) It is unlawful for a person to knowingly:



1 (1) Be intoxicated or due to the use of medical marijuana in a  
2 public place or on the premises of a dispensary or cultivation facility;

3 (2) Use medical marijuana through inhalation in a place  
4 prohibited under the Arkansas Medical Marijuana Amendment of 2016, Arkansas  
5 Constitution, Amendment 98;

6 (3) Transport medical marijuana in an amount greater than five  
7 ounces (5 oz.) unless the person is employed by a cultivation facility or  
8 dispensary licensed by the Medical Marijuana Commission and is in possession  
9 of a valid registration identification card issued by the Alcoholic Beverage  
10 Control Division; or

11 (4) Transport medical marijuana from another state into  
12 Arkansas.

13 (c)(1) A violation of subdivision (b)(1) of this section is a Class C  
14 misdemeanor.

15 (2) Otherwise, a violation of this section is a Class A  
16 misdemeanor.

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18 /s/Lundstrum  
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