

# Hall of the House of Representatives

91st General Assembly - Regular Session, 2017

## Amendment Form

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### Subtitle of House Bill No. 1049

TO AMEND THE DEFINITION OF "EXCLUDED FELONY OFFENSE" WITHIN THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016; AND TO ADD A DEFINITION OF "FELONY OF VIOLENCE" TO THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016.

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### Amendment No. 1 to House Bill No. 1049

Amend House Bill No. 1049 as originally introduced:

Page 1, delete lines 11 through 13, and substitute the following:  
"AMENDMENT OF 2016; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO AMEND THE DEFINITION OF "EXCLUDED FELONY OFFENSE" WITHIN THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016."

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, § 2(10), concerning the definition of "excluded felony offense", is amended to read as follows:

(10) "Excluded felony offense" means:

(A)(i)(a) A felony offense involving violence as determined by the jurisdiction where the felony offense occurred.

(b) The Medical Marijuana Commission, the Department of Health, or the Alcoholic Beverage Control Division shall determine whether an offense is a felony offense based upon a review of the relevant court records concerning the conviction for the offense.

(ii) ~~However, an~~ An offense that has been sealed by a court or for which a pardon has been granted is not considered an excluded felony offense; or

(B) A violation of a state or federal controlled-substance law that was classified as a felony in the jurisdiction where the person was convicted, but not including:



(i) An offense for which the sentence, including any term of probation, incarceration, or supervised release, was completed ten (10) or more years earlier; or  
(ii) An offense that has been sealed by a court or for which a pardon has been granted;"

The Amendment was read \_\_\_\_\_  
By: Representative House  
JMB/JMB - 01-19-2017 11:59:25  
JMB173 \_\_\_\_\_ Chief Clerk