

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1391

Bill Subtitle: TO AMEND THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016 REGARDING LOCAL REGULATIONS; AND TO DECLARE AN EMERGENCY.

Basic Change :

Sponsor: Representative Lundstrum

HB1391 would amend the Arkansas Medical Marijuana Amendment of 2016 to allow cities, incorporated towns, and counties to regulate or prohibit the operation of dispensaries or cultivation facilities within their jurisdictions. The jurisdiction may elect to regulate or prohibit the operation of dispensaries or cultivation facilities with their boundaries by vote of the electorate or by a majority vote of a city council or county quorum court.

Revenue Impact :

No Impact on State General Revenues.

Taxpayer Impact :

None.

Resources Required :

None.

Time Required :

None.

Procedural Changes :

None.

Other Comments :

None.

Legal Analysis :

HB1391 amends the Arkansas Medical Marijuana Amendment of 2016 ("Amendment") to allow local governments to more easily restrict dispensaries and cultivation facilities from operating in their localities. Under the current Amendment, municipalities can enact stringent zoning restrictions, so long as they are comparable to those imposed on retail pharmacies and restrict medical marijuana companies altogether by vote under the Arkansas Constitution Article 5, §1. HB1391 removes the requirement that zoning restrictions be similar to retail pharmacies. Moreover, the bill allows for municipalities to ban medical marijuana companies altogether by majority vote of a city council or county quorum court.