

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1816

Bill Subtitle: TO AMEND THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016; AND TO REQUIRE DIVERSITY WHEN ISSUING LICENSES FOR DISPENSARIES AND CULTIVATION FACILITIES AND WHEN APPOINTING INDIVIDUALS TO THE MEDICAL MARIJUANA COMMISSION.

Basic Change :

Sponsor: Representative Blake

The bill would amend the provisions of the Arkansas Medical Marijuana Amendment of 2016 to provide that the Medical Marijuana Commission when issuing licenses for dispensaries and cultivation facilities to consider racial and gender diversity in ownership of an applicant dispensary or cultivation facility. The bill also provides that the Commission must comply with all laws applicable to other state commissions, including the provisions of the Minority Business Economic Development Act and the Arkansas Procurement Law. The President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Governor must also consider diversity when appointing members of the Medical Marijuana Commission.

Revenue Impact :

None.

Taxpayer Impact :

None.

Resources Required :

None.

Time Required :

None.

Procedural Changes :

None.

Other Comments :

None.

Legal Analysis :

HB1816 incorporates consideration of diversity into several parts of the Arkansas Medical Marijuana Amendment of 2016 ("Amendment"). First, the bill mandates that a dispensary shall consider racial and gender diversity in ownership of a dispensary or cultivation facility.

Second, the bill requires that the President Pro Tempore, Speaker of the House of Representatives,

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and the Governor shall consider diversity when appointing individuals to the Medical Marijuana Commission ("Commission"). While the considerations for cultivation facility and dispensary ownership clearly indicated that diversity was defined and "racial and gender diversity," the modification to the Commission membership simply stated "diversity." This language may need to be clarified to provide guidance to those appointing membership to the Commission.

Finally, the bill adds language requiring compliance with all laws applicable to other state commissions, including the Minority Business Economic Development Act and the Arkansas Procurement Law.