

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1049

5 By: Representative House  
6 By: Senators Standridge, Irvin  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE DEFINITION OF "EXCLUDED FELONY  
10 OFFENSE" WITHIN THE ARKANSAS MEDICAL MARIJUANA  
11 AMENDMENT OF 2016; TO ADD A DEFINITION OF "FELONY OF  
12 VIOLENCE" TO THE ARKANSAS MEDICAL MARIJUANA AMENDMENT  
13 OF 2016; AND FOR OTHER PURPOSES.  
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## Subtitle

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17 TO AMEND THE DEFINITION OF "EXCLUDED  
18 FELONY OFFENSE" WITHIN THE ARKANSAS  
19 MEDICAL MARIJUANA AMENDMENT OF 2016; AND  
20 TO ADD A DEFINITION OF "FELONY OF  
21 VIOLENCE" TO THE ARKANSAS MEDICAL  
22 MARIJUANA AMENDMENT OF 2016.  
23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Pursuant to § 23 of the Arkansas Medical Marijuana  
28 Amendment of 2016, § 2(10) of the Arkansas Medical Marijuana Amendment of  
29 2016, concerning the definition of "excluded felony offense", is amended to  
30 read as follows:

31 (10) "Excluded felony offense" means:

32 (A)(i) A felony ~~involving~~ of violence or a felony of moral  
33 turpitude, gross immorality, or dishonesty.

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



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

4 (i) An offense for which the sentence, including any  
 5 term of probation, incarceration, or supervised release, was completed ten  
 6 (10) or more years earlier; or

7 (ii) An offense that has been sealed by a court or  
 8 for which a pardon has been granted;

9  
 10 SECTION 2. Pursuant to § 23 of the Arkansas Medical Marijuana  
 11 Amendment of 2016, § 2 of the Arkansas Medical Marijuana Amendment of 2016 is  
 12 amended to add a new subdivision to read as follows:

13 (20)(A) "Felony of violence" means a felony offense in which the  
 14 actor causes, threatens to cause, attempts to cause, or reasonably expects to  
 15 cause, to another person or the property of another person:

16 (i) Physical damage or injury;

17 (ii) Emotional damage or injury;

18 (iii) Psychological damage or injury; or

19 (iv) Economic damage or injury.

20 (B) The Medical Marijuana Commission shall determine  
 21 whether a felony offense is a felony of violence or a felony of moral  
 22 turpitude, gross immorality, or dishonesty based on the commission's review  
 23 of the actor's conviction for the felony offense.