

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

# A Bill

HOUSE BILL 1370

5 By: Representative House  
6 By: Senator Irvin  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CONSTITUTION, AMENDMENT 98,  
10 ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA  
11 AMENDMENT OF 2016"; TO AUTHORIZE THE MEDICAL  
12 MARIJUANA COMMISSION TO REGULATE AS A CONDITION OF  
13 LICENSURE THE ADVERTISING, MARKETING, PACKAGING, AND  
14 PROMOTION OF DISPENSARIES AND CULTIVATION FACILITIES;  
15 AND FOR OTHER PURPOSES.  
16  
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## Subtitle

18 TO AMEND THE ARKANSAS MEDICAL MARIJUANA  
19 AMENDMENT OF 2016; AND TO AUTHORIZE THE  
20 MEDICAL MARIJUANA COMMISSION TO REGULATE  
21 ADVERTISING, MARKETING, PACKAGING, AND  
22 PROMOTION OF DISPENSARIES AND CULTIVATION  
23 FACILITIES.  
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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29 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,  
30 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas  
31 Constitution, Amendment 98, § 8(a), concerning the licensure of dispensaries  
32 and cultivation facilities, is amended to read as follows:

33 (a)(1) Dispensaries and cultivation facilities shall be licensed by  
34 the Medical Marijuana Commission.

35 (2) The commission shall administer and regulate:

36 (A) ~~the~~ The licensing of dispensaries and cultivation



1 facilities, including the issuance of a:

2 (i) License to operate a dispensary; and

3 (ii) License to operate a cultivation facility; and

4 (B) As a condition of licensure, the advertising,  
5 marketing, packaging, and promotion of dispensaries and cultivation  
6 facilities to avoid children being attracted to the product, including  
7 without limitation:

8 (i) Artwork;

9 (ii) Building signage;

10 (iii) Product design, including without limitation  
11 shapes and flavors;

12 (iv) Indoor displays that can be seen from outside  
13 the dispensary or cultivation facility; and

14 (v) Other forms of marketing related to medical  
15 marijuana.

16 (3) The Alcoholic Beverage Control Division shall administer and  
17 enforce the provisions of this amendment concerning dispensaries and  
18 cultivation facilities.