

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

A Bill

HOUSE BILL 1371

5 By: Representative House
6 By: Senator Irvin
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE PROVISIONS OF THE ARKANSAS
10 MEDICAL MARIJUANA AMENDMENT OF 2016; TO AMEND THE
11 PROVISIONS CONCERNING OWNERSHIP INTEREST IN
12 DISPENSARIES AND CULTIVATION FACILITIES; AND FOR
13 OTHER PURPOSES.
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Subtitle

16 TO AMEND THE PROVISIONS OF THE ARKANSAS
17 MEDICAL MARIJUANA AMENDMENT OF 2016; AND
18 TO AMEND THE PROVISIONS CONCERNING
19 OWNERSHIP INTEREST IN DISPENSARIES AND
20 CULTIVATION FACILITIES.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
27 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas
28 Constitution, Amendment 98, § 8(c), concerning the licensing of dispensaries
29 and cultivation facilities, is amended to read as follows:

30 (c) The following individuals associated with a dispensary or
31 cultivation facility shall be current residents of Arkansas who have resided
32 in the state for the previous seven (7) consecutive years:

33 (1) The ~~individual(s)~~ individual or individuals submitting an
34 application to license a dispensary or cultivation facility; and,

35 (2) ~~Sixty percent (60%) of the individuals~~ The individuals
36 ~~owning an~~ at least a total of sixty percent (60%) interest in a dispensary or



1 cultivation facility.

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3 SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
 4 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas
 5 Constitution, Amendment 98, § 8(g)(2) and (2), concerning the licensing of
 6 dispensaries and cultivation facilities, is amended to read as follows:

7 (2) The application shall include without limitation the
 8 following:

9 (A) The application fee;

10 (B) The legal name of the dispensary or cultivation
 11 facility;

12 (C) The physical address of the:

13 (i) Dispensary, which location may not be within one
 14 thousand five hundred feet (1,500') of a public school, church, or daycare
 15 center existing before the date of the dispensary application; or

16 (ii) Cultivation facility, which location may not be
 17 within three thousand feet (3,000') of a public school, church, or daycare
 18 center existing before the date of the cultivation facility application;

19 (D) The name, address, and date of birth of each
 20 dispensary agent or cultivation facility agent; and

21 (E) If the city, town, or county in which the dispensary
 22 or cultivation facility would be located has enacted zoning restrictions, a
 23 sworn statement certifying that the dispensary or cultivation facility will
 24 operate in compliance with the restrictions.

25 ~~(2)(3)(A)~~ The commission shall conduct a criminal background
 26 check on any individual who owns ten percent (10%) or more of a dispensary or
 27 cultivation facility in addition to an owner, board member, or officer of the
 28 dispensary or cultivation facility.

29 ~~(B) None of the owners, board members, or officers~~ An
 30 owner, board member, or officer of the dispensary or cultivation facility
 31 shall not:

32 ~~(A)(i) Shall have~~ Have been convicted of an excluded
 33 felony offense;

34 ~~(B)(ii) Shall have~~ Have previously been an owner of
 35 a dispensary or cultivation facility that has had its license revoked; and

36 ~~(C)(iii) Shall be~~ Be under twenty-one (21) years of

1 age.

2 (4) The commission shall issue a license for a dispensary or
3 cultivation facility only in the name of a natural person with an ownership
4 interest in the dispensary or cultivation facility similar to the ownership
5 interest requirements for permits issued by the Alcoholic Beverage Control
6 Division for alcoholic beverages.

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