

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

A Bill

HOUSE BILL 1436

5 By: Representative House
6

For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS CONSTITUTION, AMENDMENT 98,
9 ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA
10 AMENDMENT OF 2016" REGARDING EXPIRATION DATES OF
11 LICENSES FOR DISPENSARIES AND CULTIVATION FACILITIES,
12 THE EXPIRATION DATES FOR REGISTRY IDENTIFICATION
13 CARDS FOR A DISPENSARY AGENT AND CULTIVATION FACILITY
14 AGENT, AND RENEWALS OF WRITTEN CERTIFICATION; AND FOR
15 OTHER PURPOSES.
16
17

Subtitle

18 TO AMEND THE ARKANSAS MEDICAL MARIJUANA
19 AMENDMENT OF 2016 REGARDING EXPIRATION
20 DATES OF LICENSES AND REGISTRY
21 IDENTIFICATION CARDS AND RENEWALS OF
22 WRITTEN CERTIFICATION.
23
24
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
29 also known as the "Arkansas Medical Marijuana Amendment of 2016", § 4(b),
30 concerning the ability of a dispensary to grow marijuana, as amended by Acts
31 2017, No. 4, is amended to read as follows:

32 (b) Not later than one hundred eighty (180) days after the effective
33 date of this amendment, the department shall adopt rules governing:

34 (1) The manner in which the department considers applications
35 for and renewals ~~for~~ of registry identification cards;

36 (2) Labeling and testing standards for marijuana distributed to



1 qualifying patients; ~~and~~

2 (3) A waiver of the annual requirements for a written
 3 certification and the annual renewals of registry identification cards for
 4 chronic and life-long diseases; and

5 (4) Any other matters necessary for the department's fair,
 6 impartial, stringent, and comprehensive administration of this amendment.

7
 8 SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
 9 also known as the "Arkansas Medical Marijuana Amendment of 2016", § 5(d)(1),
 10 concerning the registry identification cards, is amended to read as follows:

11 (d)(1)(A) A Except as provided under subdivision (d)(1)(B)) of this
 12 amendment, a registry identification card expires one (1) year after the date
 13 of issuance unless the physician states in the written certification that he
 14 or she believes the qualifying patient would benefit from the medical use of
 15 marijuana only until a specified earlier date.

16 (B) A registry identification card expires three (3) years
 17 after the date of issuance for a qualifying patient who has a chronic and
 18 life-long disease.

19
 20 SECTION 3. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
 21 also known as the "Arkansas Medical Marijuana Amendment of 2016", § 8(f)(2),
 22 concerning a dispensary license and cultivation facility license, is amended
 23 to add an additional subdivision to read as follows:

24 (2)(A) The initial dispensary application fee shall be a maximum
 25 of seven thousand five hundred dollars (\$7,500).

26 (B) The initial cultivation facility application fee shall
 27 be a maximum of fifteen thousand dollars (\$15,000).

28 (C) A license that is initially issued between January 1
 29 and July 1 may have the licensing fees up to fifty percent (50%) prorated and
 30 refunded as determined by the commission.

31
 32 SECTION 4. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
 33 also known as the "Arkansas Medical Marijuana Amendment of 2016", § 8(n),
 34 concerning the expiration date of a dispensary license and cultivation
 35 facility license, is amended to read as follows:

36 (n)(1) A dispensary license and cultivation facility license shall

1 ~~expire one (1) year after the date of issuance~~ on June 30 of each calendar
 2 year and are renewable on or before June 30 of each calendar year for the
 3 fiscal year beginning July 1.

4 (2) The commission shall issue a renewal dispensary license or a
 5 renewal cultivation facility license within ten (10) days to any entity who
 6 complies with the requirements contained in this amendment, including without
 7 limitation the payment of a renewal fee.

8
 9 SECTION 5. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
 10 also known as the "Arkansas Medical Marijuana Amendment of 2016", § 9(g),
 11 concerning the expiration date of a registry identification card for a
 12 dispensary agent or cultivation facility agent, is amended to read as
 13 follows:

14 (g)(1) A registry identification card for a dispensary agent or
 15 cultivation facility agent shall expire ~~one (1) year after the date of~~
 16 ~~issuance~~ on June 30 of each calendar year and is renewable on or before June
 17 30 of each calendar year for the fiscal year beginning July 1.

18 (2) A registry identification card of a dispensary agent or
 19 cultivation facility agent expires upon notification to the division by a
 20 dispensary or cultivation facility that the person ceases to work at the
 21 dispensary or cultivation facility.

22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36