

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

# A Bill

HOUSE BILL 1451

5 By: Representatives Drown, 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 THE ARKANSAS NATIONAL  
11 GUARD AND THE UNITED STATES MILITARY; AND FOR OTHER  
12 PURPOSES.  
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## Subtitle

15 TO AMEND THE ARKANSAS MEDICAL MARIJUANA  
16 AMENDMENT OF 2016 REGARDING THE ARKANSAS  
17 NATIONAL GUARD AND THE UNITED STATES  
18 MILITARY.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,  
25 also known as the "Arkansas Medical Marijuana Amendment of 2016", § 2(6),  
26 concerning the definition of "designated caregiver", is amended to read as  
27 follows:

28 (6)(A) "Designated caregiver" means a person who is at least  
29 twenty-one (21) years of age, has not been convicted of an excluded felony  
30 offense, has agreed to assist a physically disabled qualifying patient with  
31 the medical use of marijuana, and who has registered with the Department of  
32 Health under § 5 of this amendment.

33 (B) "Designated caregiver" includes without limitation a  
34 parent:

35 (i) Of a qualifying patient who is under the age of  
36 eighteen (18); and



1 (ii) Required to register as a designated caregiver  
 2 under this amendment.

3 (C) "Designated caregiver" shall not include a member of  
 4 the Arkansas National Guard or the United States military;

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 6 SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98,  
 7 also known as the "Arkansas Medical Marijuana Amendment of 2016", § 2(14),  
 8 concerning the definition of "qualified patient", is amended to read as  
 9 follows:

10 (14)(A) "Qualifying patient" means a person who has been  
 11 diagnosed by a physician as having a qualifying medical condition and who has  
 12 registered with the department under § 5 of this amendment.

13 (B) "Qualifying patient" shall not include a member of the  
 14 Arkansas National Guard or the United States military;

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 16 SECTION 3. Pursuant to § 23 of Arkansas Constitution, Amendment 98,  
 17 also known as the "Arkansas Medical Marijuana Amendment of 2016", § 6(a)(2),  
 18 concerning the scope of the Arkansas Medical Marijuana Amendment of 2016, is  
 19 amended to read as follows:

20 (2) Possess, smoke, or otherwise engage in the use of marijuana:

21 (A) On a school bus;

22 (B) On the grounds of a daycare center, preschool, primary  
 23 or secondary school, college, or university;

24 (C) At a drug or alcohol treatment facility;

25 (D) At a community or recreation center;

26 (E) In a correctional facility;

27 (F) On any form of public transportation; ~~or~~

28 (G) In a public place; or

29 (H) On any property that is under control of the Arkansas  
 30 National Guard or the United State military; or

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