

Stricken language would be deleted from and underlined language would be added to present law.

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

As Engrossed: H3/14/17

A Bill

HOUSE BILL 1989

5 By: Representative Lundstrum
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"; TO PROHIBIT THE SMOKING OF
11 MARIJUANA IN ANY LOCATION IN ARKANSAS; AND FOR OTHER
12 PURPOSES.
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Subtitle

15 TO AMEND THE ARKANSAS MEDICAL MARIJUANA
16 AMENDMENT OF 2016; AND TO PROHIBIT THE
17 SMOKING OF MARIJUANA IN ANY LOCATION IN
18 ARKANSAS.
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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", Arkansas*
26 *Constitution, Amendment 98, § 6(a), concerning the scope of the Arkansas*
27 *Medical Marijuana Amendment of 2016, is amended to read as follows:*

28 *(a) This amendment does not permit a person to:*

29 *(1) Undertake any task under the influence of marijuana when*
30 *doing so would constitute negligence or professional malpractice;*

31 *(2) Possess, smoke, or otherwise engage in the medical use of*
32 *marijuana:*

33 *(A) On a school bus;*

34 *(B) On the grounds of a daycare center, preschool, primary*
35 *or secondary school, college, or university;*

36 *(C) At a drug or alcohol treatment facility;*



- 1 (D) *At a community or recreation center;*
2 (E) *In a correctional facility;*
3 (F) *On any form of public transportation; or*
4 (G) *In a public place; ~~or~~*
- 5 (3) *Operate, navigate, or be in actual physical control of a*
6 *motor vehicle, aircraft, motorized watercraft, or any other vehicle drawn by*
7 *power other than muscle power while under the influence of marijuana;*
- 8 (4) *Smoke marijuana:*
- 9 (A) *In a place where the smoking of tobacco is prohibited*
10 *by law;*
- 11 (B) *In the presence of a person who is under twenty-one*
12 *(21) years of age;*
- 13 (C) *Inside a motor vehicle, aircraft, motorized*
14 *watercraft, or any vehicle drawn by power other than muscle power;*
- 15 (D) *Knowingly in the presence of a pregnant woman;*
- 16 (E) *In a place where the smoking of marijuana for medical*
17 *use is likely to cause another person not authorized to use marijuana to be*
18 *under the influence of marijuana;*
- 19 (5) *Smoke marijuana for medical use if the person is under*
20 *twenty-one (21) years of age; or*
- 21 (6)(A) *Smoke marijuana for medical use in the presence of a*
22 *minor.*
- 23 (B) *As used in this section, "minor" means a person who is*
24 *under eighteen (18) years of age.*
- 25 (C) *Smoking marijuana for medical use in the presence of a*
26 *minor is grounds for a child abuse investigation under existing state law.*

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28 SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
29 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas
30 Constitution, Amendment 98, § 4(b)(2), concerning the rules regarding medical
31 marijuana issued by the Department of Health, is amended to read as follows:
32 (2) Labeling and testing standards for marijuana distributed to
33 qualifying patients, including a warning label on all marijuana for medical
34 use that is processed or sold for smoking that communicates the health and
35 safety risks associated with smoking and a list of places and conditions in
36 which smoking marijuana for medical use is illegal in the State of Arkansas;

1 *and*

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/s/Lundstrum

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