

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

# A Bill

Call Item 3  
SENATE BILL 2

5 By: Senator J. Dismang  
6 By: Representative Gillam  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO ARKANSAS  
10 CONSTITUTION, AMENDMENT 98, ALSO KNOWN AS THE  
11 "ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016" TO  
12 INTEGRATE AND INCORPORATE THE PROVISIONS OF ACTS 4,  
13 438, 479, 593, 639, 641, 670, 740, 948, 1023, 1024,  
14 1098, AND 1100 OF 2017 INTO ARKANSAS CONSTITUTION,  
15 AMENDMENT 98; TO DECLARE AN EMERGENCY; AND FOR OTHER  
16 PURPOSES.

## Subtitle

17  
18  
19 TO INTEGRATE AND INCORPORATE THE  
20 PROVISIONS OF ACTS OF 2017 INTO ARKANSAS  
21 CONSTITUTION, AMENDMENT 98, ALSO KNOWN AS  
22 THE "ARKANSAS MEDICAL MARIJUANA AMENDMENT  
23 OF 2016"; AND TO DECLARE AN EMERGENCY.  
24  
25  
26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
28

29 SECTION 1. DO NOT CODIFY. LEGISLATIVE INTENT.

30 (a) The General Assembly finds that:

31 (1) Arkansas Constitution, Amendment 98, § 23, empowers the  
32 General Assembly to amend certain sections of Arkansas Constitution,  
33 Amendment 98, so long as the amendments are germane to the section and  
34 consistent with its policy and purposes;

35 (2) Twenty-three (23) separate acts of the regular session of  
36 the Ninety-First General Assembly, Acts 2017, Nos. 4, 5, 438, 479, 544, 545,



1 587, 593, 594, 638, 639, 640, 641, 642, 670, 740, 948, 1022, 1023, 1024,  
 2 1098, 1099, and 1100, amended Arkansas Constitution, Amendment 98;

3 (3)(A) Twenty (20) of these twenty-three (23) acts were enacted  
 4 independently of the other acts and do not reflect the language added by any  
 5 of the other amendatory acts.

6 (B) However:

7 (i) Acts 2017, No. 438, § 1, was enacted as amended  
 8 by Acts 2017, No. 5;

9 (ii) Acts 2017, No. 593, § 1, was enacted as amended  
 10 by Acts 2017, No. 5; and

11 (iii) Acts 2017, No. 640, § 1, was enacted as  
 12 amended by Acts 2017, No. 4;

13 (4) Thirteen (13) of the twenty-three (23) acts, Acts 2017, Nos.  
 14 4, 438, 479, 593, 639, 641, 670, 740, 948, 1023, 1024, 1098, and 1100, have  
 15 conflicting provisions such as the same numbering for new subsections or  
 16 subdivisions within the same section or subsection;

17 (5)(A) Acts 2017, No. 1023, §§ 2 and 3, imposed additional  
 18 requirements on both the Department of Health and the Alcoholic Beverage  
 19 Control Division of the Department of Finance and Administration regarding  
 20 labeling and testing of usable marijuana to ensure that food or drink that  
 21 has been combined with usable marijuana does not exceed ten milligrams (10  
 22 mg) of active tetrahydrocannabinol per portion.

23 (B) However, after further review, the additional  
 24 requirements imposed on the Department of Health within Acts 2017, No. 1023,  
 25 § 2, are unnecessary to achieve this purpose as the Alcoholic Beverage  
 26 Control Division of the Department of Finance and Administration must also  
 27 meet these requirements for dispensaries and cultivation facilities;

28 (6) Arkansas Code § 1-2-207, which addresses codification upon  
 29 the passage of multiple acts amending the same subject matter, only  
 30 references amendments to the Arkansas Code and uncodified acts and does not  
 31 address the treatment of acts amending the Arkansas Constitution;

32 (7) The applicability of Arkansas Code § 1-2-303(d)(1),  
 33 concerning nonsubstantive technical corrections to provisions of the Arkansas  
 34 Code and acts of the General Assembly made under the direction of the  
 35 Arkansas Code Revision Commission, is equally uncertain;

36 (8) It is unclear whether the Arkansas Code Revision Commission

1 may exercise its authority under Arkansas Code §§ 1-2-207 and 1-2-303 and  
2 make the customary technical corrections, such as changes to numbering and  
3 formatting, that are made by the Arkansas Code Revision Commission to acts of  
4 the General Assembly that amend the same section of law; and

5 (9) Without technical corrections to the conflicting language in  
6 thirteen (13) of the twenty-three (23) amendatory acts of the 2017 regular  
7 session, Arkansas Constitution, Amendment 98, will not read coherently and  
8 will be difficult to interpret, utilize, and cite.

9 (b) The intent of this act is to:

10 (1) Supersede certain provisions of Acts 2017, Nos. 4, 438, 479,  
11 593, 639, 641, 670, 740, 948, 1023, 1024, 1098, and 1100, that conflict with  
12 or substantively duplicate the provisions of this act;

13 (2) Repeal Acts 2017, No. 1023, § 2, to ensure that the language  
14 incorporated within Arkansas Constitution, Amendment 98, is without  
15 conflicts; and

16 (3) Enact certain provisions of Acts 2017, Nos. 4, 438, 479,  
17 593, 639, 641, 670, 740, 948, 1023, 1024, 1098, and 1100, in a format that  
18 integrates and incorporates certain provisions of the thirteen (13) acts by  
19 restating certain provisions in a coherent, cohesive, and comprehensive  
20 manner.

21 (c) This act does not modify or supersede:

22 (1) Any emergency clause, effective date clause, or  
23 retroactivity clause, of Acts 2017, Nos. 4, 438, 479, 593, 639, 641, 670,  
24 740, 948, 1023, 1024, 1098, and 1100;

25 (2) Sections within Acts 2017, Nos. 4, 438, 479, 593, 639, 641,  
26 670, 740, 948, 1023, 1024, 1098, and 1100, that are not within this act; or

27 (3) Acts 2017, Nos. 5, 544, 545, 587, 594, 638, 640, 642, 1022,  
28 and 1099.

29  
30 SECTION 2. Under the authority granted by § 23 of Arkansas  
31 Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana  
32 Amendment of 2016", Arkansas Constitution, Amendment 98, § 2(18) and (19),  
33 concerning the definition of "written certification" within the Arkansas  
34 Medical Marijuana Amendment of 2016, are amended to reflect the changes  
35 enacted by Acts 2017, Nos. 438, as amended by Acts 2017, No. 5, and 593, as  
36 amended by Acts 2017, No. 5, to read as follows:

1 (18) "Visiting qualifying patient" means a patient with a  
2 qualifying medical condition who is not a resident of Arkansas or who has  
3 been a resident of Arkansas for less than thirty (30) days and who is in  
4 actual possession of a registry identification card or its equivalent that is  
5 issued under the laws of another state, district, territory, commonwealth, or  
6 insular possession of the United States and pertains to a qualifying medical  
7 condition under this section; ~~and~~

8 (19)(A) "Written certification" means a document signed by a  
9 physician stating that in the physician's professional opinion, after having  
10 completed an assessment of the qualifying patient's medical history and  
11 current medical condition made in the course of a physician-patient  
12 relationship, the qualifying patient has a qualifying medical condition.

13 (B) A written certification shall specify the qualifying  
14 patient's qualifying medical condition, which also shall be noted in the  
15 physician's records.

16 (C) A physician shall not issue a written certificate to a  
17 patient based on an assessment performed through telemedicine.

18 (D) A written certification is not a medical prescription;  
19

20 SECTION 3. Acts 2017, No. 1023, § 2, is repealed.

21 ~~SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98,~~  
22 ~~also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas~~  
23 ~~Constitution, Amendment 98, § 4(b)(2), concerning the rules of the Department~~  
24 ~~of Health relating to qualifying patients, is amended to read as follows:~~

25 ~~(2) Labeling and testing standards for marijuana distributed to~~  
26 ~~qualifying patients, including without limitation:~~

27 ~~(A) Before sale, food or drink that has been combined with~~  
28 ~~usable marijuana shall not exceed ten milligrams (10 mg) of active~~  
29 ~~tetrahydrocannabinol per portion and shall be physically demarked; and~~

30 ~~(B) If portions cannot be physically determined, the~~  
31 ~~entirety of the food or drink that has been combined with usable marijuana~~  
32 ~~shall not contain more than ten milligrams (10 mg) of active~~  
33 ~~tetrahydrocannabinol; and~~  
34

35 SECTION 4. Under the authority granted by § 23 of Arkansas  
36 Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana

1 Amendment of 2016", Arkansas Constitution, Amendment 98, § 4(b), concerning  
2 the rules regarding medical marijuana issued by the Department of Health, is  
3 amended to reflect the changes enacted by Acts 2017, Nos. 4 and 740, and to  
4 acknowledge the repeal of changes enacted by Acts 2017, No. 1023, § 2, to  
5 read as follows:

6 (b) Not later than ~~one hundred twenty (120) days~~ one hundred eighty  
7 (180) days after the effective date of this amendment, the department shall  
8 adopt rules governing:

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

11 (2) Labeling and testing standards for marijuana distributed to  
12 qualifying patients, including a warning label on all marijuana for medical  
13 use that is processed or sold for smoking that communicates the health and  
14 safety risks associated with smoking and a list of places and conditions in  
15 which smoking marijuana for medical use is illegal in the State of Arkansas;  
16 and

17 (3) Any other matters necessary for the department's fair,  
18 impartial, stringent, and comprehensive administration of this amendment.  
19

20 SECTION 5. Under the authority granted by § 23 of Arkansas  
21 Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana  
22 Amendment of 2016", Arkansas Constitution, Amendment 98, § 6(a), is amended  
23 to reflect the changes enacted by Acts 2017, Nos. 479 and 740, to read as  
24 follows:

25 (a) This amendment does not permit a person to:

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

28 (2) Possess, smoke, or otherwise engage in the medical use of  
29 marijuana:

30 (A) On a school bus;

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

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

34 (D) At a community or recreation center;

35 (E) In a correctional facility;

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

- 1 (G) In a public place; or
- 2 (H) On any property that is under control of the Arkansas
- 3 National Guard or the United States military;

4 (3) Operate, navigate, or be in actual physical control of a  
 5 motor vehicle, aircraft, motorized watercraft, or any other vehicle drawn by  
 6 power other than muscle power while under the influence of marijuana;

7 (4) Smoke marijuana:

8 (A) In a place where the smoking of tobacco is prohibited  
 9 by law;

10 (B) In the presence of a person who is under fourteen (14)  
 11 years of age;

12 (C) Inside a motor vehicle, aircraft, motorized  
 13 watercraft, or any vehicle drawn by power other than muscle power;

14 (D) Knowingly in the presence of a pregnant woman; or

15 (E) In a place where the smoking of marijuana for medical  
 16 use is likely to cause another person not authorized to use marijuana to be  
 17 under the influence of marijuana; or

18 (5) Smoke marijuana for medical use if the person is under  
 19 twenty-one (21) years of age.

20  
 21 SECTION 6. Under the authority granted by § 23 of Arkansas  
 22 Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana  
 23 Amendment of 2016", Arkansas Constitution, Amendment 98, § 8, is amended to  
 24 reflect the changes enacted by Acts 2017, Nos. 639, 641, 948, 1024, and 1100  
 25 to add additional subsections to read as follows:

26 (p) The commission and the division may collect fines or fees for any  
 27 violation of a rule adopted under this section.

28 (q)(1) A license for a dispensary or cultivation facility shall only  
 29 be issued to a natural person.

30 (2) A license issued for a dispensary or cultivation facility  
 31 shall be transferable only to a natural person upon approval of the  
 32 commission.

33 (r) Data or records submitted to the division or commission under  
 34 rules adopted under this amendment may be shared with the Department of  
 35 Health and the State Insurance Department for purposes of the Arkansas all-  
 36 payer claims database established under the Arkansas Healthcare Transparency

1 Initiative Act of 2015, § 23-61-901 et seq.

2 (s)(1) A dispensary shall appoint a pharmacist consultant who is a  
3 pharmacist licensed with the Arkansas State Board of Pharmacy.

4 (2) A pharmacist consultant shall:

5 (A) Register as a dispensary agent under this amendment  
6 and follow all procedures;

7 (B) Develop and provide training to other dispensary  
8 agents at least one (1) time every twelve (12) months from the initial date  
9 of the opening of the dispensary on the following subjects:

10 (i) Guidelines for providing information to  
11 qualifying patients related to risks, benefits, and side effects associated  
12 with medical marijuana;

13 (ii) Recognizing the signs and symptoms of substance  
14 abuse; and

15 (iii) Guidelines for refusing to provide medical  
16 marijuana to an individual who appears to be impaired or abusing medical  
17 marijuana;

18 (C) Assist in the development and implementation of review  
19 and improvement processes for patient education and support provided by the  
20 dispensary;

21 (D) Provide oversight for the development and  
22 dissemination of:

23 (i) Education materials for qualifying patients and  
24 designated caregivers that include:

25 (a) Information about possible side effects  
26 and contraindications of medical marijuana;

27 (b) Guidelines for notifying the physician who  
28 provided the written certification for medical marijuana if side effects or  
29 contraindications occur;

30 (c) A description of the potential effects of  
31 differing strengths of medical marijuana strains and products;

32 (d) Information about potential drug-to-drug  
33 interactions, including interactions with alcohol, prescription drugs,  
34 nonprescription drugs, and supplements;

35 (e) Techniques for the use of medical  
36 marijuana and marijuana paraphernalia; and

1 (f) Information about different methods,  
2 forms, and routes of medical marijuana administration;

3 (ii) Systems for documentation by a qualifying  
4 patient or designated caregiver of the symptoms of a qualifying patient that  
5 includes a logbook, rating scale for pain and symptoms, and guidelines for a  
6 patient’s self-assessment; and

7 (iii) Policies and procedures for refusing to  
8 provide medical marijuana to an individual who appears to be impaired or  
9 abusing medical marijuana; and

10 (E) Be accessible to the dispensary or dispensary agent  
11 through:

12 (i) Telephonic means at all times during operating  
13 hours; and

14 (ii) Telephone or video conference for a patient  
15 consultation during operating hours.

16 (t)(1) A cultivation facility shall meet the following security  
17 requirements:

18 (A)(i) The physical security controls set forth in 21  
19 C.F.R. § 1301.72 – 1301.74, as existing on January 1, 2017.

20 (ii) The division shall adopt rules to implement  
21 subdivision (t)(1)(A)(i) of this section;

22 (B) All cultivation of marijuana occurs within a building,  
23 greenhouse, or other structure that:

24 (i) Has a complete roof enclosure supported by  
25 connecting walls that are constructed of solid material extending from the  
26 ground to the roof;

27 (ii) Is secure against unauthorized entry;

28 (iii) Has a foundation, slab, or equivalent base to  
29 which the floor is securely attached;

30 (iv) Meets performance standards ensuring that  
31 cultivation and processing activities cannot be and are not perceptible from  
32 the structure in terms of:

33 (a) Common visual observation;

34 (b) Odors, smells, fragrances, or other  
35 olfactory stimuli;

36 (c) Light pollution, glare, or brightness;



1                                   (d) Adequate ventilation to prevent mold; and

2                                   (e) Noise;

3                                   (v) Provides complete visual screening; and

4                                   (vi) Is accessible only through one (1) or more  
5 lockable doors;

6                                   (C) Current detailed plans and elevation drawings of all  
7 operational areas involved with the production of medical marijuana are  
8 maintained on the premises of the cultivation facility, including:

9                                   (i) All storage areas, ventilation systems, and  
10 equipment used for production;

11                                   (ii) All entrances and exits to the cultivation  
12 facility;

13                                   (iii) All windows, skylights, and retractable  
14 mechanisms built into the roof;

15                                   (iv) The location of all required security cameras;

16                                   (v) The location of all alarm inputs, detectors, and  
17 sirens;

18                                   (vi) All video and alarm system surveillance areas;

19                                   (vii) All production areas labeled according to the  
20 specific activity occurring within the area;

21                                   (viii) All restricted and limited access areas  
22 identified; and

23                                   (ix) All nonproduction areas labeled according to  
24 purpose;

25                                   (D) Access to areas where marijuana is grown, harvested,  
26 processed, and stored is limited to authorized personnel and:

27                                   (i) Designated by clearly marked signage; and

28                                   (ii) Locked and accessible only by authorized  
29 personnel on a current roster of authorized personnel;

30                                   (E)(i) Written policies regarding any nonregistered agent  
31 who may visit the premises and a log of all visitors to the premises are  
32 developed and maintained.

33                                   (ii) The log shall consist of the visitor's name,  
34 purpose of visit, time of arrival, and time of departure.

35                                   (iii) Visitors to a cultivation facility shall be:

36                                   (a) Issued a visitor identification tag

1 containing the visitor's name that shall be worn for the duration of the  
2 visit on the premises; and

3 (b) Escorted by a cultivation facility agent  
4 at all times while present on the premises.

5 (iv)(a) However, contractors conducting repairs,  
6 maintenance, or other specific duties may be escorted to their work site and  
7 left unaccompanied while completing a job.

8 (b) Cultivation facility agents shall ensure  
9 that the contractor and area under repair are under video surveillance for  
10 the duration of the time spent on the premises by the contractor; and

11 (F)(i) An alarm system is equipped that upon attempted  
12 unauthorized entry, transmits a signal directly to a central protection  
13 company for a local or state police agency and a designated cultivation  
14 facility agent.

15 (ii) The alarm system shall:

16 (a) Provide coverage for all points of ingress  
17 and egress to the cultivation facility, including without limitation  
18 doorways, windows, loading bays, skylights, and retractable roof mechanisms;

19 (b) Provide coverage of any room with an  
20 exterior wall, any room containing a safe, and any room used to grow or store  
21 medical marijuana;

22 (c) Be equipped with a panic drive that upon  
23 activation will not only sound any audible alarm components but will also  
24 notify law enforcement;

25 (d) Have duress and hold up features to enable  
26 a cultivation facility agent to activate a silent alarm notifying law  
27 enforcement of an emergency;

28 (e) Be equipped with failure notification  
29 systems to notify cultivation facilities and law enforcement of any failure  
30 in the alarm system; and

31 (f) Have the ability to remain operational  
32 during a power outage.

33 (2) A cultivation facility shall maintain compliance with  
34 applicable city or county building or structure rules, regulations, or  
35 ordinances and any other applicable state laws or rules regarding buildings  
36 or structures.

1  
2 SECTION 7. Under the authority granted by § 23 of Arkansas  
3 Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana  
4 Amendment of 2016", Arkansas Constitution, Amendment 98, § 17, concerning  
5 taxation and the distribution of proceeds, is amended to reflect the changes  
6 enacted by Acts 2017, Nos. 670 and 1098 to read as follows:

7 § 17. Taxation and distribution of proceeds.

8 (a)(1) The sale of usable marijuana is subject to all state and local  
9 sales taxes at the same rate as other ~~goods~~, tangible personal property.

10 (2) The sale of usable marijuana is also subject to the Arkansas  
11 Medical Marijuana Special Privilege Tax Act of 2017, § 26-57-1501 et seq., or  
12 its successor.

13 (b) The ~~states~~ state sales and special privilege tax revenues received  
14 by the Department of Finance and Administration from the sale of usable  
15 marijuana under this amendment shall be distributed as follows:

16 (1) All moneys received as part of this amendment are designated  
17 as special revenue and the funds collected shall be deposited into the State  
18 Treasury and credited to the Arkansas Medical Marijuana Implementation and  
19 Operations Fund;

20 (2) All moneys received as part of this amendment prior to the  
21 effective date of this section shall be immediately transferred to the  
22 Arkansas Medical Marijuana Implementation and Operations Fund upon the  
23 effective date of this section;

24 (3) In order for the Chief Fiscal Officer of the State to  
25 determine the expenses that state agencies incurred due to the passage of  
26 this amendment, the following state entities shall submit a report to the  
27 Chief Fiscal Officer of the State no later than May 1 of each year of the  
28 projected expenses for the next fiscal year, including without limitation  
29 expenses as set out in subdivision (b)(4) of this section:

30 (A) The Alcoholic Beverage Control Division of the  
31 Department of Finance and Administration;

32 (B) The Department of Health;

33 (C) The Medical Marijuana Commission; and

34 (D) Any other state agency that incurs implementation,  
35 administration, or enforcement expenses related to this amendment; and

36 (4)(A) From time to time, the Chief Fiscal Officer of the State

1 shall transfer on his or her books and those of the Treasurer of State and  
 2 the Auditor of State the amounts as set out in subdivision (b)(3) of this  
 3 section or so much as is available in proportion to the amount identified by  
 4 each agency in subdivision (b)(3) of this section from the Arkansas Medical  
 5 Marijuana Implementation and Operations Fund to the Miscellaneous Agencies  
 6 Fund Account for the Alcoholic Beverage Control Division of the Department of  
 7 Finance and Administration, the paying account as determined by the Chief  
 8 Fiscal Officer for the Department of Health, the Medical Marijuana Commission  
 9 Fund, and any other fund necessary to the implementation, administration, or  
 10 enforcement of this amendment to pay for or reimburse personal services,  
 11 operating expenses, professional fees, equipment, monitoring, auditing, and  
 12 other miscellaneous expenses of this amendment.

13 (B) At the end of each fiscal year, any unobligated  
 14 balances of the amounts transferred shall be deducted from the amount  
 15 transferred in the next fiscal year as authorized in subdivision (b)(4)(A) of  
 16 this section.

17 (C) Any unanticipated expenses or expenses over the amount  
 18 transferred may be added from time to time to the transfer amount authorized  
 19 in subdivision (b)(4)(A) of this section.

20 (D) The Department of Finance and Administration shall  
 21 report at the end of the fiscal year to the Legislative Council, or to the  
 22 Joint Budget Committee if during a legislative session, the following  
 23 information:

24 (i) The total annual amount received as a result of  
 25 this amendment;

26 (ii) The amount transferred to each agency; and

27 (iii) Copies of the report submitted to the Chief  
 28 Fiscal Officer of the State identifying estimated expenses as set out in  
 29 subdivision (b)(3) of this section.

30 (c) After the transfer described in subsection (b) of this section,  
 31 the amounts remaining in the Arkansas Medical Marijuana Implementation and  
 32 Operations Fund shall be distributed one hundred percent (100%) to the  
 33 General Revenue Fund Account.

34 ~~(1) Five percent (5%) to the Department of Health paying account~~  
 35 ~~or its successor fund or fund account;~~

36 ~~(2) Two percent (2%) to the Miscellaneous Agencies Fund or its~~

1 ~~successor fund or fund account to be used exclusively by the Department of~~  
2 ~~Finance and Administration—Alcoholic Beverage Control Administration~~  
3 ~~Division or its successor;~~

4 ~~(3) Two percent (2%) to the Miscellaneous Agencies Fund or its~~  
5 ~~successor fund or fund account to be used exclusively by the Department of~~  
6 ~~Finance and Administration—Alcoholic Beverage Control Enforcement Division~~  
7 ~~or its successor;~~

8 ~~(4)(A) One percent (1%) to a special revenue account credited to~~  
9 ~~the Medical Marijuana Commission Fund or its successor fund or fund account~~  
10 ~~to be used exclusively by the Medical Marijuana Commission.~~

11 ~~(B) The General Assembly shall by law created the Medical~~  
12 ~~Marijuana Commission Fund no later than July 1, 2017;~~

13 ~~(5)(A) Ten percent (10%) to the Skills Development Fund or its~~  
14 ~~successor fund or fund account, to be used exclusively by the Office of~~  
15 ~~Skills Development of the Department of Career Education or its successor for~~  
16 ~~the development and implementation of workforce training programs.~~

17 ~~(B) The Office of Skills Development of the Department of~~  
18 ~~Career Education or its successor may use revenues received under subdivision~~  
19 ~~(b)(6)(A) of this section to:~~

20 ~~(i) Supplement or enhance existing programs,~~  
21 ~~including without limitation grant programs; or~~

22 ~~(ii) Establish new programs, including without~~  
23 ~~limitation grant programs.~~

24 ~~(C) If the Office of Skills Development of the Department~~  
25 ~~of Career Education or its successor establishes a new program under~~  
26 ~~subdivision (b)(6)(B) of this section, it shall promulgate rules to implement~~  
27 ~~the program;~~

28 ~~(6)(A) Fifty percent (50%) to a special revenue account credited~~  
29 ~~to the Vocational and Technical Training Special Revenue Fund or its~~  
30 ~~successor fund or fund account, to be used exclusively by the Department of~~  
31 ~~Finance and Administration or its successor for grants to technical~~  
32 ~~institutes and vocational technical schools for personal services and~~  
33 ~~operating expenses, scholarships, research, development and delivery of~~  
34 ~~education coursework and math and science coursework, land acquisition,~~  
35 ~~equipment acquisition, and infrastructure costs, including without limitation~~  
36 ~~site development costs, construction, improvements, landscaping, renovation,~~

1 ~~dormitory renovation, major maintenance, and the building of roads and~~  
2 ~~parking lots.~~

3 ~~(B) The General Assembly shall by law create the~~  
4 ~~Vocational and Technical Training Special Revenue Fund no later than July 1,~~  
5 ~~2017.~~

6 ~~(C) The Department of Finance and Administration or its~~  
7 ~~successor shall promulgate rules to implement the grant program described in~~  
8 ~~this subdivision (b)(7) by July 1, 2017;~~

9 ~~(7) Thirty percent (30%) to the General Revenue Fund.~~

10 ~~(e)(d)~~ An entity receiving a grant of state sales tax revenue under  
11 subsection (b) of this section may make one (1) or more successive grant  
12 applications for the same project or projects.

13  
14 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the  
15 General Assembly of the State of Arkansas that twenty-three (23) separate  
16 acts of the regular session of the Ninety-First General Assembly amended the  
17 Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical  
18 Marijuana Amendment of 2016"; that this act is intended to avoid difficulties  
19 in interpreting, utilizing, and citing Arkansas Constitution, Amendment 98,  
20 in the wake of passage of Acts 2017, Nos. 4, 438, 479, 593, 639, 641, 670,  
21 740, 948, 1023, 1024, 1098, and 1100; that this act enacts certain provisions  
22 of Acts 2017, Nos. 4, 438, 479, 593, 639, 641, 670, 740, 948, 1023, 1024,  
23 1098, and 1100, in a format that integrates and incorporates the provisions  
24 of the thirteen (13) acts by restating certain provisions of the thirteen  
25 (13) acts in a coherent, cohesive, and comprehensive manner; and that to  
26 avoid confusion in the law, this act should become effective on the same date  
27 as the majority of the thirteen (13) acts. Therefore, an emergency is  
28 declared to exist, and this act being necessary for the preservation of the  
29 public peace, health, and safety shall become effective on July 31, 2017.