

1 State of Arkansas As Engrossed: H3/8/21 H3/9/21 H3/17/21

2 93rd General Assembly

A Bill

3 Regular Session, 2021

HOUSE BILL 1525

4

5 By: Representative Lundstrum

6 By: Senator Bledsoe

7

8

For An Act To Be Entitled

9

AN ACT CONCERNING THE UNLAWFUL POSSESSION,

10

TRANSPORTATION, AND USE OF MEDICAL MARIJUANA; AND FOR

11

OTHER PURPOSES.

12

13

14

Subtitle

15

CONCERNING THE UNLAWFUL POSSESSION,

16

TRANSPORTATION, AND USE OF MEDICAL

17

MARIJUANA.

18

19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21

22

SECTION 1. Arkansas Code Title 5, Chapter 71, Subchapter 2, is amended to add an additional section to read as follows:

23

24

5-71-219. Unlawful possession, transportation, and use of medical marijuana.

25

26

(a) As used in this section:

27

(1) "Cultivation facility" means the same as defined in the

28

Arkansas Medical Marijuana Amendment of 2016, Arkansas Constitution,

29

Amendment 98;

30

(2) "Dispensary" means the same as defined in the Arkansas

31

Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98;

32

(3) "Medical marijuana" means marijuana lawfully possessed,

33

transported, or used for a medical use under state law; and

34

(4) "Medical use" means the same as defined in the Arkansas

35

Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98.

36

(b) It is unlawful for a person to knowingly:



1 (1) Be intoxicated due to the use of medical marijuana in a
2 public place or on the premises of a dispensary or cultivation facility;

3 (2) Use medical marijuana through inhalation in a place
4 prohibited under the Arkansas Medical Marijuana Amendment of 2016, Arkansas
5 Constitution, Amendment 98;

6 (3) Transport medical marijuana in an amount greater than five
7 ounces (5 oz.) unless the person is employed by a cultivation facility or
8 dispensary licensed by the Medical Marijuana Commission and is in possession
9 of a valid registration identification card issued by the Alcoholic Beverage
10 Control Division; or

11 (4) Transport medical marijuana from another state into
12 Arkansas.

13 (c) A violation of this section is a Class C misdemeanor.

14 /s/Lundstrum

15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36