

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

SENATE BILL 226

4
5 By: Senator L. Chesterfield

For An Act To Be Entitled

8 AN ACT REQUIRING THE LEGISLATIVE COUNCIL TO ESTABLISH
9 THE MEDICAL MARIJUANA OVERSIGHT SUBCOMMITTEE TO
10 PERFORM OVERSIGHT FUNCTIONS RELATED TO ARKANSAS
11 CONSTITUTION, AMENDMENT 98; AND FOR OTHER PURPOSES.

Subtitle

15 REQUIRING THE ESTABLISHMENT OF THE
16 MEDICAL MARIJUANA OVERSIGHT COMMITTEE OF
17 THE LEGISLATIVE COUNCIL TO PERFORM
18 OVERSIGHT RELATED TO ARKANSAS
19 CONSTITUTION, AMENDMENT 98.

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

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24 SECTION 1. Arkansas Code Title 10, Chapter 3, Subchapter 3, is amended
25 to add an additional section to read as follows:

26 10-3-319. Medical Marijuana Oversight Subcommittee.

27 (a) The Legislative Council shall establish by rule the Medical
28 Marijuana Oversight Subcommittee, which shall have oversight of all matters
29 related to Arkansas Constitution, Amendment 98.

30 (b) All matters pertaining to the following shall be referred to the
31 Medical Marijuana Oversight Subcommittee:

32 (1) Licensing and operation of dispensaries and cultivation
33 facilities;

34 (2) Registration and certification of cultivation facility
35 agents and dispensary agents;

36 (3) Licensure of transporters, distributors, and processors;



1 (4) Registration and certification of transporter agents,
2 distributor agents, and processor agents;

3 (5) Qualifying medical conditions for the medical use of
4 marijuana;

5 (6) The taxation and distribution of medical marijuana proceeds;

6 (7) Rules promulgated by one (1) or more of the following state
7 agencies regarding the implementation, administration, or enforcement of
8 Arkansas Constitution, Amendment 98:

9 (A) The Alcoholic Beverage Control Division;

10 (B) The Department of Health;

11 (C) The Medical Marijuana Commission; and

12 (D) Any other state agency involved with the
13 implementation, administration, or enforcement of Arkansas Constitution,
14 Amendment 98;

15 (8) Proposed contracts of one (1) or more of the following state
16 agencies in the amount of twenty-five thousand dollars (\$25,000) or more that
17 relate to the implementation, administration, or enforcement of Arkansas
18 Constitution, Amendment 98:

19 (A) The Alcoholic Beverage Control Division;

20 (B) The Department of Health;

21 (C) The Medical Marijuana Commission; and

22 (D) Any other state agency involved with the
23 implementation, administration, or enforcement of Arkansas Constitution,
24 Amendment 98; and

25 (9) Such other matters related to medical marijuana as the
26 Medical Marijuana Oversight Subcommittee considers necessary to perform its
27 oversight of all matters related to Arkansas Constitution, Amendment 98.

28 (c)(1) Except as provided in subdivision (c)(2) of this section, if a
29 matter referred to the Medical Marijuana Oversight Subcommittee under
30 subsection (b) of this section would otherwise require review or approval, or
31 both, by a subcommittee of the Legislative Council, the Medical Marijuana
32 Oversight Subcommittee shall serve as the subcommittee of the Legislative
33 Council that performs the required review or approval, or both, of the
34 matter.

35 (2) Proposed rules submitted to the Medical Marijuana Oversight
36 Subcommittee under this section are not subject to approval by the Medical

1 Marijuana Oversight Subcommittee but are submitted for review purposes only.

2 (d)(1) During a regular, fiscal, or extraordinary session of the
3 General Assembly, the Joint Budget Committee shall perform the functions
4 assigned to the Medical Marijuana Oversight Subcommittee.

5 (2) The Joint Budget Committee may establish a subcommittee to
6 perform the functions of the Medical Marijuana Oversight Subcommittee that
7 are assigned to the Joint Budget Committee under subdivision (d)(1) of this
8 section.

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