

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H3/4/21

A Bill

SENATE BILL 226

5 By: Senator L. Chesterfield
6

For An Act To Be Entitled

8 AN ACT REQUIRING THE LEGISLATIVE COUNCIL TO ESTABLISH
9 THE MEDICAL MARIJUANA ADVISORY SUBCOMMITTEE TO
10 PROVIDE ADVICE RELATED TO ARKANSAS CONSTITUTION,
11 AMENDMENT 98; AND FOR OTHER PURPOSES.
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Subtitle

14 REQUIRING THE ESTABLISHMENT OF THE
15 MEDICAL MARIJUANA ADVISORY SUBCOMMITTEE
16 OF THE LEGISLATIVE COUNCIL TO PROVIDE
17 ADVICE RELATED TO ARKANSAS CONSTITUTION,
18 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 Advisory Subcommittee.

27 (a) The Legislative Council shall establish by rule the Medical
28 Marijuana Advisory Subcommittee, which shall provide advice on all matters
29 related to Arkansas Constitution, Amendment 98.

30 (b) All matters pertaining to the following may be referred to the
31 Medical Marijuana Advisory 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 Advisory Subcommittee considers necessary to provide its
27 advice on 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 Advisory 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 Advisory 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 Advisory
36 Subcommittee under this section are not subject to approval by the Medical

1 Marijuana Advisory 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 Advisory Subcommittee.

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

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10 */s/L. Chesterfield*
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