

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

A Bill

HOUSE BILL 1392

5 By: Representatives Lundstrum, Ballinger, Bentley, Fortner, Gonzales, Miller, B. Smith
6 By: Senator G. Stubblefield
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CONSTITUTION, AMENDMENT 98,
10 ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA
11 AMENDMENT OF 2016; TO BAN USE OF MEDICAL MARIJUANA IN
12 FOOD AND DRINK UNLESS A QUALIFYING PATIENT OR
13 DESIGNATED CAREGIVER INCORPORATES USABLE MARIJUANA
14 INTO FOOD OR DRINK TO AID IN THE INGESTION OF MEDICAL
15 MARIJUANA FOR A QUALIFYING PATIENT; AND FOR OTHER
16 PURPOSES.
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Subtitle

19 TO AMEND ARKANSAS CONSTITUTION, AMENDMENT
20 98; AND TO BAN USE OF MEDICAL MARIJUANA
21 IN FOOD AND DRINK UNLESS IN CERTAIN
22 CIRCUMSTANCES.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
29 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas
30 Constitution, Amendment 98, § 6(a), concerning the scope of the Arkansas
31 Medical Marijuana Amendment of 2016, is amended to read as follows:

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

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

35 (2) Possess, smoke, or otherwise engage in the use of marijuana:

36 (A) On a school bus;



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

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

4 (D) At a community or recreation center;

5 (E) In a correctional facility;

6 (F) On any form of public transportation; or

7 (G) In a public place; ~~or~~

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

11 (4)(A) Except as provided in subdivision (a)(4)(B) of this
12 section, manufacture, sell, offer for purchase, exchange for consideration,
13 or consume food or drink that contains usable marijuana.

14 (B) A qualifying patient or designated caregiver may
15 incorporate usable marijuana into food or drink to aid ingestion of the
16 medical marijuana by a qualifying patient.

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