

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

# A Bill

HOUSE BILL 1400

5 By: Representatives Lundstrum, Dotson, Ballinger, Bentley, C. Fite, Hammer, K. Hendren, McNair,  
6 Payton, Richmond, B. Smith  
7 By: Senators Rapert, Hester, G. Stubblefield  
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## For An Act To Be Entitled

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10 AN ACT TO AMEND THE ARKANSAS MEDICAL MARIJUANA  
11 AMENDMENT OF 2016; TO PROHIBIT THE SMOKING OF  
12 MARIJUANA IN ANY LOCATION IN ARKANSAS; AND FOR OTHER  
13 PURPOSES.  
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## Subtitle

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17 TO AMEND THE ARKANSAS MEDICAL MARIJUANA  
18 AMENDMENT OF 2016; AND TO PROHIBIT THE  
19 SMOKING OF MARIJUANA IN ANY LOCATION IN  
20 ARKANSAS.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,  
26 also known as the "Arkansas Medical Marijuana Amendment of 2016", § 6, is  
27 amended to read as follows:

### § 6. Scope.

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

29 (1) Undertake any task under the influence of marijuana when  
30 doing so would constitute negligence or professional malpractice;  
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32 (2) Possess, smoke, or otherwise engage in the use of marijuana:

33 (A) On a school bus;

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

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



- (D) At a community or recreation center;
- (E) In a correctional facility;
- (F) On any form of public transportation; or
- (G) In a public place; ~~or~~

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

(4) Smoke marijuana in any location in Arkansas.

(b) This amendment does not require:

(1) A government medical assistance program or private health insurer to reimburse a person for costs associated with the medical use of marijuana unless federal law requires reimbursement;

(2) An employer to accommodate the ingestion of marijuana in a workplace or an employee working while under the influence of marijuana;

(3) An individual or establishment in lawful possession of property to allow a guest, client, customer, or other visitor to use marijuana on or in that property; or

(4) An individual or establishment in lawful possession of property to admit a guest, client, customer, or other visitor who is inebriated as a result of his or her medical ~~used~~ use of marijuana; ~~or~~

~~(5) A landlord to permit a qualifying patient to smoke marijuana on or in leased property, except that a landlord may not prohibit the medical use of marijuana through means other than smoking on leased property by a qualifying patient.~~

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