

Hall of the House of Representatives
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of House Bill No. 1057

TO AMEND THE ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016; AND TO ADD CRIMINAL
BACKGROUND CHECK PROCEDURES.

Amendment No. 1 to House Bill No. 1057

Amend House Bill No. 1057 as originally introduced:

Delete everything after the enacting clause and substitute the following:
" SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the Arkansas Medical Marijuana Amendment of 2016, § 4(a), concerning the administration and enforcement of qualifying patients and designated caregivers, is amended to add a new subdivision to read as follows:

(4)(A) The Department of Health shall require each applicant for a designated caregiver registry identification card to apply for or authorize the Department of Health to obtain state and national criminal background checks to be conducted by the Identification Bureau of the Department of Arkansas State Police and the Federal Bureau of Investigation.

(B) The criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(C) The applicant shall authorize the release of the criminal background checks to the Department of Health and shall be responsible for the payment of any fee associated with the criminal background checks.

(D) Upon completion of the criminal background checks, the Identification Bureau of the Department of Arkansas State Police shall forward to the Department of Health all information obtained concerning the applicant.

SECTION 2. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the Arkansas Medical Marijuana Amendment of 2016, § 8(k), concerning a criminal background check for a dispensary and cultivation facility, is amended to read as follows:

(k)(1) The commission ~~may~~ shall conduct a criminal ~~records~~ background check in order to carry out this section.

(2) The commission shall require each applicant for a dispensary license or cultivation facility license to apply for or authorize the commission to obtain state and national criminal background checks to be conducted by the Identification Bureau of the Department of Arkansas State



Police and the Federal Bureau of Investigation.

(3) The criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(4) The applicant shall authorize the release of the criminal background checks to the commission and shall be responsible for the payment of any fee associated with the criminal background checks.

(5) Upon completion of the criminal background checks, the Identification Bureau of the Department of Arkansas State Police shall forward to the commission all information obtained concerning the applicant.

SECTION 3. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the Arkansas Medical Marijuana Amendment of 2016, § 9(d), concerning a criminal background check for a dispensary agent and cultivation facility agent, is amended to read as follows:

(d)(1) The division ~~may~~ shall conduct criminal ~~records~~ background checks in order to carry out this section.

(2) The division shall require each applicant for a dispensary agent license or cultivation facility agent license to apply for or authorize the division to obtain state and national criminal background checks to be conducted by the Identification Bureau of the Department of Arkansas State Police and the Federal Bureau of Investigation.

(3) The criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(4) The applicant shall authorize the release of the criminal background checks to the division and shall be responsible for the payment of any fee associated with the criminal background checks.

(5) Upon completion of the criminal background checks, the Identification Bureau of the Department of Arkansas State Police shall forward to the division all information obtained concerning the applicant.

SECTION 4. Pursuant to § 23 of Arkansas Constitution, Amendment 98, also known as the Arkansas Medical Marijuana Amendment of 2016, § 9(f)(2), concerning a criminal background check for a dispensary agent or cultivation facility agent, is amended to read as follows:

(2) The division ~~may~~ shall conduct a criminal background check as described in subsection (d) of this section of each dispensary agent or cultivation facility agent in order to carry out this provision."

The Amendment was read _____
By: House
By: Representative House
JMB/JMB - 01-13-2017 10:10:48
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Chief Clerk