

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

As Engrossed: H1/25/17
A Bill

HOUSE BILL 1049

5 By: Representative House
6 By: Senators Standridge, Irvin
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE DEFINITION OF "EXCLUDED FELONY
10 OFFENSE" WITHIN THE ARKANSAS MEDICAL MARIJUANA
11 AMENDMENT OF 2016; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE DEFINITION OF "EXCLUDED
16 FELONY OFFENSE" WITHIN THE ARKANSAS
17 MEDICAL MARIJUANA AMENDMENT OF 2016.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Pursuant to § 23 of Arkansas Constitution, Amendment 98,
23 also known as the "Arkansas Medical Marijuana Amendment of 2016", Arkansas
24 Constitution, Amendment 98, § 2(10), concerning the definition of "excluded
25 felony offense", is amended to read as follows:

26 (10) "Excluded felony offense" means:

27 (A)(i)(a) A felony offense involving violence as
28 determined by the jurisdiction where the felony offense occurred.

29 (b) The Medical Marijuana Commission, the
30 Department of Health, or the Alcoholic Beverage Control Division shall
31 determine whether an offense is a felony offense based upon a review of the
32 relevant court records concerning the conviction for the offense.

33 (ii) ~~However, an~~ An offense that has been sealed by
34 a court or for which a pardon has been granted is not considered an excluded
35 felony offense; or

36 (B) A violation of a state or federal controlled-substance



1 law that was classified as a felony in the jurisdiction where the person was
2 convicted, but not including:

3 (i) An offense for which the sentence, including any
4 term of probation, incarceration, or supervised release, was completed ten
5 (10) or more years earlier; or

6 (ii) An offense that has been sealed by a court or
7 for which a pardon has been granted;

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/s/House

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APPROVED: 03/21/2017

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