Opinion No. 2017-120

November 20, 2017

Ms. Clair Danner, Sponsor
277 Marion County 5029
Saint Joe, AR 72675

Dear Ms. Danner:

I am responding to your request for certification, pursuant to Ark. Code Ann. § 7-9-107 (Supp. 2015), of the popular name and ballot title for a proposed constitutional amendment.

At the outset, I wish to make clear that the decision to certify or reject a popular name and ballot title is in no way a reflection of my view of the merits of a particular proposal. I am not authorized to, and do not, consider the merits of a measure when making a decision to certify or reject.

Section 7-9-107 authorizes my office to 1) certify the popular name and ballot title of a proposed measure, 2) substitute and certify the popular name and ballot title, or 3) reject the entire submission if the "nature of the issue [] is presented in such manner that the ballot title would be misleading" to voters.¹ The purpose of my review under section 7-9-107 is to ensure that the popular name and ballot title honestly, intelligibly, and fairly set forth the purpose of the proposed amendment.² In this way, voters will have a fair understanding of the issues presented by reference to the ballot title alone.³

¹ Ark. Code Ann. § 7-9-107(c).
At the time they are submitted to my office under section 7-9-107, the popular name and ballot title for proposed constitutional amendments and acts “should be complete enough to convey an intelligible idea of the scope and import of the proposal.”\(^4\) And it follows from my duty to reject misleading submissions that any ballot title submitted for review should represent the sponsor’s attempt to summarize her proposed amendment or act in a non-misleading fashion. While I am authorized to substitute and certify a ballot title that is more suitable (in terms of affording voters a fair understanding of the issues presented), section 7-9-107 does not contemplate that I generate a ballot title when the ballot title submitted is wholly deficient. Nor does the statute require that I modify the proposed measure itself in order to then summarize the measure’s text in a suitable ballot title. Crafting the measure’s text and accurately summarizing that text in a ballot title are the sponsor’s responsibility prior to submission.

REQUEST

You have requested certification, pursuant to Ark. Code Ann. § 7-9-107, of the following popular name and ballot title for a proposed constitutional amendment:

**Popular Name**

Natural Resource Cannabis Amendment

**Ballot Title**

An amendment proposed by the people of the State of Arkansas, adhere to the full legalization of the cannabis plant (genus cannabis) making it legal under Arkansas State law; of which federal law holds precedence over State laws; therefore, bringing the intention issue of

\(^4\) *Bailey v. McCuen*, 318 Ark. 277, 285, 884 S.W.2d 938, 942 (1994) (internal quotation omitted). The Arkansas Supreme Court has explained that ballot titles are legally insufficient unless they “adequately inform” voters of the the proposed amendment’s content, thereby enabling a “reasoned decision in the voting booth.” *Lange v. Martin*, 2016 Ark. 337, 500 S.W.3d 154, at n. 2. And a ballot title’s failure to “honestly and accurately reflect what is contained in the proposed Amendment” may lead the Court to conclude that the “omission is significant,” making the proposed ballot title deficient. *Id.* at *9, 500 S.W.3d at 159. Likewise, a ballot title cannot be approved if the text of the proposal itself creates a disconnect between the ballot title and the content of the proposed measure. *Roberts v. Priest*, 341 Ark. 813, 825, 20 S.W.3d 376, 382 (2000). This is because “internal inconsistencies would inevitably lead to confusion in drafting a popular name and ballot title, and to confusion in the ballot title itself.” *Id.*
the otherwise continued federal raids to an end; to amend the Arkansas Constitution to provide Arkansas legislation with the Natural Resource Cannabis Amendment; in collaboration and synonymously with the General Assembly, Congress, and the Bureau of Cannabis/Marijuana Control, all shall promulgate and adopt regulations and enact legislation that will foster, implement, and aid in the providing governing [sic] to decriminalize cannabis at the local, state, and federal levels, to leave to the states a power to establishing a comprehensive regulatory structure and system to legalize, control, license, and regulate the activities of cannabis/marijuana/hemp; protecting the health and public safety of consumers and small businesses by imposing strict anti-monopoly restrictions in the cannabis industry; and including, but not limited to, the conflating of the cannabis issues; promoting the economic and ecological vitality growth, eliminating revenue shortfalls with an abundance of revenues, to protect the clean energy natural resource of inexhaustible potentials, allowing for energy independent biomass technology and jobs; providing the citizenry with a future of opportunity by bringing clean energy jobs to America in the cannabis industry categories of textile, commodity, agricultural, and goods and services, in that, including but not limited to the cultivation, distribution, sale, and use of the cannabis plant (genus cannabis) to be regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this State whether by import or export; making it illegal for any person(s), agency, entity, or medical pharmaceutical to cause excessive and unreasonable pricing or price gouging for recreational, industrial, commercial, personal, and medical purposes; and all products derived/produced therefrom the cannabis plant shall be lawful within the State of Arkansas; and providing that qualified person(s), bank, business, agency, entity, or medical facility engaging in or assisting with the cannabis industry shall be legal; which adheres to the current regulations and, local, state, and federal laws, and shall be regulated under State law upon passage; providing that the Bureau of Cannabis/Marijuana Control and the Cannabis/Marijuana Control Board shall administer and regulate the cannabis/marijuana industry regulatory structure with relevant expertise; whereas the listed activities with respect to cannabis/marijuana/hemp and products derived/produced therefrom
containing cannabis are lawful in this State with required licensing, and shall be regulated and taxed in like manner; the General Assembly shall enact an excise tax of (5%) five percent to be levied upon wholesale sales of cannabis/marijuana/hemp and cannabis infused goods and services, requiring the first $30 million in revenue raised annually by such tax be credited to the public schools; that the listed activities with respect to cannabis and products derived therefrom containing cannabis by person(s) twenty-one (21) years of age or older are lawful in this State with required licensing, and shall be regulated in like manner; and the use thereof as an intoxicant similar to alcohol, and under the age of twenty-one (21) years shall be illegal. The State shall allow for the cannabis industry operation of retail and non-retail facilities for cannabis; tax industrial and commercial cannabis in like manner; permitting the use of medical cannabis/marijuana to assure that patients, including those under 21 years of age, may have safe access to medical cannabis to treat disease, injury, or illness; requiring the release and exoneration of non-violent cannabis/marijuana offenders in this State from incarceration, probation, and or parole, and dismissing, and or expunging, such convictions from such criminal records in this State; and providing that the sale of any cannabis and cannabis infused products, goods and services are subject to all State and local sales taxes, special taxes, excise duty on inland/import, and custom duties on border/export; and providing that the tax revenues, excluding local sales taxes, on any cannabis and cannabis infused products, goods, and services shall be distributed (10%) to the Bureau of Cannabis/Marijuana Control; (5%) to the Cannabis/Marijuana Control Board; (20%) to the Arkansas Department of Education Public Schools; (15%) to the Arkansas Agriculture Department; (10%) to the Arkansas Department of Human Services Aging and Adult Services; (20%) to the Retinue Consortium Corporation; (10%) to the Arkansas Department of Human Services Parks and Tourism Department; (10%) to the Arkansas Highway and Transportation Department; and to the Community Reinvestment Fund §6(dd)(8)(a-e) $300,000,000 without fiscal year limitations upon passage of this amendment; and providing regarding this amendment that no legislators can remove the law because it is an amendment to the Arkansas Constitution, and can only be done so by the voters.
RESPONSE

My statutory duty is to certify, substitute and certify, or reject the entire proposal. And my office attempts in the usual course to identify problems in the text of a proposed measure that prevent certification of a satisfactory ballot title. But there are threshold shortcomings in your submission that preclude any detailed review under section 7-9-107(c).

First, the text of your proposed constitutional amendment is “so all-encompassing that to include every important factor of the proposal in the ballot title would cause the ballot title to be so complex, detailed and lengthy that the Arkansas voter could not intelligently make a choice on the title within the five minutes allowed in the voting booth.” The measure is some 36 pages long, not including the ballot title. It has 17 distinct sections, many of which have subsections and sub-subsections. At least one section (itself 13 pages long) has sub-sub-subsections.

The Arkansas Supreme Court has recognized that “at some point, length and complexity alone might militate against a voter’s ability to form an intelligent opinion about the issue at hand.” In my opinion, this point has been reached here. The text of your measure is overlong and extremely dense. As a result, I cannot begin the process of identifying the textual ambiguities that would result in a ballot title misleading to voters. I must reject the submission for this reason.

Second, the proposed ballot title suggests that your proposed constitutional amendment would change federal law. The ballot title states, for example, that the measure would “bring[... otherwise continued federal raids to an end,” as well as “aid in ... decriminaliz[ing] cannabis at the local, state, and federal levels.” It is inherently misleading to give voters the impression that amending the Arkansas Constitution could negate or alter federal law. Because an amendment purporting to do so would likely be unconstitutional, your submission is fundamentally flawed.


6 See Section 4 (“Definitions”).


8 See Gralike v. Cook, 191 F.3d 911, 915 (8th Cir. 1999), aff’d 531 U.S. 510 (2001) (striking an initiated amendment to the Missouri Constitution that “order[ed] members of Missouri’s congressional delegation to use their authority to amend the United States Constitution to impose the term limits ... on Congressional service.”).
CONCLUSION

The Arkansas Constitution does not charge my office with any role in drafting initiated constitutional amendments or acts. My duty in reviewing submissions under section 7-9-107 is to the electorate as a whole. I cannot advise or advocate for individual sponsors.9 Sponsors must make the necessary efforts to ensure that their proposed measures, popular names, and ballot titles have been thoroughly vetted for compliance with the high standards established by the Court prior to their submission to my office.

Your submission is defective to the point that I cannot begin to analyze whether the ballot title, or the nature of the issue, is presented in such a way that the ballot title would be misleading. While the deficiencies noted above are not necessarily all of the issues preventing certification of a popular name and ballot title for your proposed measure, they are sufficiently serious that I am unable to further review your submission pursuant to section 7-9-107(c). I must reject your entire ballot title, popular name, and proposed measure.

Sincerely,

LESLIE RUTLEDGE
Attorney General

Enclosure

AN AMENDMENT PROPOSED BY THE PEOPLE OF THE STATE OF ARKANSAS, ADHERE TO THE FULL LEGALIZATION OF THE CANNABIS PLANT (GENUS CANNABIS) MAKING IT LEGAL UNDER ARKANSAS STATE LAW; OF WHICH FEDERAL LAW HOLDS PRECEDENCE OVER STATE LAWS; THEREFORE, BRINGING THE INTENTION ISSUE OF THE OTHERWISE CONTINUED FEDERAL RAIDS TO AN END; TO AMEND THE ARKANSAS CONSTITUTION TO PROVIDE ARKANSAS LEGISLATION WITH THE NATURAL RESOURCE CANNABIS AMENDMENT; IN COLLABORATION AND SYNONYMOUSLY WITH THE GENERAL ASSEMBLY, CONGRESS, AND THE BUREAU OF CANNABIS/MARIJUANA CONTROL, ALL SHALL PROMULGATE AND ADOPT REGULATIONS AND ENACT LEGISLATION THAT WILL FOSTER, IMPLEMENT, AND AID IN THE PROVIDING GOVERNING TO DECRIMINALIZE CANNABIS AT THE LOCAL, STATE, AND FEDERAL LEVELS, TO LEAVE TO THE STATES A POWER TO ESTABLISH A COMPREHENSIVE REGULATORY STRUCTURE AND SYSTEM TO LEGALIZE, CONTROL, LICENSE, AND REGULATE THE ACTIVITIES OF CANNABIS/MARIJUANA/HEMP; PROTECTING THE HEALTH AND PUBLIC SAFETY OF CONSUMERS AND SMALL BUSINESSES BY IMPOSING STRICT ANTI-MONOPOLY RESTRICTIONS IN THE CANNABIS INDUSTRY; AND INCLUDING, BUT NOT LIMITED TO, THE CONFLATING OF THE CANNABIS ISSUES: PROMOTING THE ECONOMIC AND ECOCAL VITALITY GROWTH, ELIMINATING REVENUE SHORTFALLS WITH AN ABUNDANCE OF REVENUES, TO PROTECT THE CLEAN ENERGY NATURAL RESOURCE OF INEXHAUSTIBLE POTENTIALS, ALLOWING FOR ENERGY INDEPENDENT BIOMASS TECHNOLOGY AND JOBS; PROVIDING THE CITIZENRY WITH A FUTURE OF OPPORTUNITY BY BRINGING CLEAN ENERGY JOBS TO AMERICA IN THE CANNABIS INDUSTRY CATEGORIES OF TEXTILE, COMMODITY, AGRICULTURAL, AND GOODS AND SERVICES, IN THAT, INCLUDING BUT NOT LIMITED TO THE CULTIVATION, DISTRIBUTION, SALE, AND USE OF THE CANNABIS PLANT (GENUS CANNABIS) TO BE REGULATED AND TAXED IN LIKE MANNER AS SIMILAR PRODUCTS, PURPOSE, AND CATEGORIES SUCH AS ANY OTHER TEXTILE, COMMODITY, AGRICULTURAL, GOODS AND SERVICES PRODUCED IN OR OUT OF THIS STATE WHETHER BY IMPORT OR EXPORT; MAKING IT ILLEGAL FOR ANY PERSON(S), AGENCY, ENTITY, OR MEDICAL PHARMACEUTICAL TO CAUSE EXCESSIVE AND UNREASONABLE PRICING OR PRICE GOUGING FOR RECREATIONAL, INDUSTRIAL, COMMERCIAL, PERSONAL, AND MEDICAL PURPOSES; AND ALL PRODUCTS DERIVED/PRODUCED THEREFROM THE CANNABIS PLANT SHALL BE LAWFULL WITHIN THE STATE OF ARKANSAS; AND PROVIDING THAT QUALIFIED PERSON(S), BANK, BUSINESS, AGENCY, ENTITY, OR MEDICAL FACILITY ENGAGING IN OR ASSISTING WITH THE CANNABIS INDUSTRY SHALL BE LEGAL; WHICH ADHERES TO THE CURRENT REGULATIONS AND, LOCAL, STATE, AND FEDERAL LAWS, AND SHALL BE REGULATED UNDER STATE LAW UPON PASSAGE; PROVIDING THAT THE BUREAU OF CANNABIS/MARIJUANA CONTROL AND THE CANNABIS/MARIJUANA CONTROL BOARD SHALL ADMINISTER AND REGULATE THE CANNABIS/MARIJUANA INDUSTRY REGULATORY STRUCTURE WITH RELEVANT EXPERTISE; WHEREAS THE LISTED ACTIVITIES WITH RESPECT TO CANNABIS/MARIJUANA/HEMP AND PRODUCTS DERIVED/PRODUCED THEREFROM CONTAINING CANNABIS ARE LAWFUL IN THIS STATE WITH REQUIRED LICENSING, AND SHALL BE REGULATED AND TAXED IN LIKE MANNER; THE GENERAL ASSEMBLY SHALL ENACT AN EXCISE TAX OF (5%) FIVE PERCENT TO BE LEVIED UPON WHOLESALE SALES OF CANNABIS/MARIJUANA/HEMP AND CANNABIS INFUSED GOODS AND SERVICES, REQUIRING THE FIRST $30 MILLION IN REVENUE RAISED ANNUALLY BY SUCH TAX BE CREDITED TO THE PUBLIC SCHOOLS; THAT THE LISTED ACTIVITIES WITH RESPECT TO CANNABIS AND PRODUCTS DERIVED THEREFROM CONTAINING CANNABIS BY PERSON(S) TWENTY-ONE (21) YEARS OF AGE OR OLDER ARE LAWFUL IN THIS STATE WITH REQUIRED LICENSING, AND SHALL BE REGULATED IN LIKE MANNER; AND THE USE THEREOF AS AN INTOXICANT SIMILAR TO ALCOHOL, AND UNDER THE AGE OF TWENTY-ONE (21) YEARS SHALL BE ILLEGAL.
THE STATE SHALL ALLOW FOR THE CANNABIS INDUSTRY OPERATION OF RETAIL AND NON-RETAIL FACILITIES FOR CANNABIS; TAX INDUSTRIAL AND COMMERCIAL CANNABIS IN LIKE MANNER; PERMITTING THE USE OF MEDICAL CANNABIS/MARIJUANA TO ASSURE THAT PATIENTS, INCLUDING THOSE UNDER 21 YEARS OF AGE, MAY HAVE SAFE ACCESS TO MEDICAL CANNABIS TO TREAT DISEASE, INJURY, OR ILLNESS; REQUIRING THE RELEASE AND EXONERATION OF NON-VIOLENT CANNABIS/MARIJUANA OFFENDERS IN THIS STATE FROM INCARCERATION, PROBATION, AND OR PAROLE, AND DISMISSING, AND OR EXPUNGING, SUCH CONVICTIONS FROM SUCH CRIMINAL RECORDS IN THIS STATE; AND PROVIDING THAT THE SALE OF ANY CANNABIS AND CANNABIS INFUSED PRODUCTS, GOODS AND SERVICES ARE SUBJECT TO ALL STATE AND LOCAL SALES TAXES, SPECIAL TAXES, EXCISE DUTY ON INLAND/IMPORT, AND CUSTOM DUTIES ON BORDER/EXPORT; AND PROVIDING THAT THE TAX REVENUES, EXCLUDING LOCAL SALES TAXES, ON ANY CANNABIS AND CANNABIS INFUSED PRODUCTS, GOODS AND SERVICES SHALL BE DISTRIBUTED (10%) TO THE BUREAU OF CANNABIS/MARIJUANA CONTROL; (5%) TO THE CANNABIS/MARIJUANA CONTROL BOARD; (20%) TO THE ARKANSAS DEPARTMENT OF EDUCATION PUBLIC SCHOOLS; (15%) TO THE ARKANSAS AGRICULTURE DEPARTMENT; (10%) TO THE ARKANSAS DEPARTMENT OF HUMAN SERVICES AGING AND ADULT SERVICES; (20%) TO THE RETINUE CONSORTIUM CORPORATION; (10%) TO THE ARKANSAS DEPARTMENT OF HUMAN SERVICES PARKS AND TOURISM DEPARTMENT; (10%) TO THE ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT; AND TO THE COMMUNITY REINVESTMENT FUND §6(dd)(8)(a-e) $300,000,000 WITHOUT FISCAL YEAR LIMITATIONS UPON PASSAGE OF THIS AMENDMENT; AND PROVIDING REGARDING THIS AMENDMENT THAT NO LEGISLATORS CAN REMOVE THE LAW BECAUSE IT IS AN AMENDMENT TO THE ARKANSAS CONSTITUTION, AND CAN ONLY BE DONE SO BY THE VOTERS.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF ARKANSAS:

ARTICLE 2. DECLARATION OF RIGHTS, AND ARTICLE 10. AGRICULTURE, MINING, AND MANUFACTURE OF THE CONSTITUTION OF THE STATE OF ARKANSAS IS AMENDED BY THE ADDITION OF A NEW SECTION TO READ:

ARTICLE 2. § 30 ENVIRONMENT AND NATURAL RESOURCES PROTECTION
ARTICLE 10. § 4 NATURAL RESOURCE CANNABIS PROTECTION

ENVIRONMENT AND NATURAL RESOURCES PROTECTION IS THE RIGHT OF THE PEOPLE OF THIS STATE TO BE SECURE IN THE PROTECTION AND IMPROVEMENT TO PREVENT UNREASONABLE DEPLETION OF A NATURAL AGRICULTURE HERITAGE AND ERADICATION OF A VALUABLE AND CLEAN ENERGY NATURAL RESOURCE THE CANNABIS/MARIJUANA PLANT; (i.e. GENUS CANNABIS A NATURAL RESOURCE); OF WHICH HAS NUMEROUS AND INEXHAUSTIBLE USES; WITH THE PRODUCTION OF THE DROUGHT RESISTANT, SELF-FERTILIZING, AND PEST-RESISTANT PLANT ALLOWING FOR ENERGY INDEPENDENT BIOMASS TECHNOLOGY AND JOBS, WE COULD MEET OUR ENERGY NEEDS, MAKING AMERICA ENERGY INDEPENDENT; WHILE ALLOWING OUR TREES TO REPLENISH AND SHARING CLEANING UP THE CARBON-DIOXIDE FROM THE ATMOSPHERE IMPROVING OUR QUALITY OF LIFE; INCLUDING JOBS; WITH NO FORCED SETTLEMENT FUNDS SET ASIDE BECAUSE THERE IS NO RECORDED HISTORY OF HUMAN SICKNESS OR DISEASE DEVELOPED THEREFROM. NOTWITHSTANDING, THE FEDERAL LAW SHALL BE ABROGATED; AND CANNABIS/MARIJUANA/HEMP SHALL BE LEGAL IN THE STATE OF ARKANSAS FOR RECREATIONAL, INDUSTRIAL, COMMERCIAL, PERSONAL, AND MEDICAL PURPOSES; AND SHALL NOT BE AN OFFENSE OR ILLEGAL, OR A BASIS FOR SEIZURE OR FORFEITURE OF ASSETS UNDER ARKANSAS LAW: ANY LAWS THAT CONFLICT WITH THESE RIGHTS ARE REPEALED UPON PASSAGE OF THIS AMENDMENT.

11-3-2017
§ 1. Popular Name.
This is an amendment to the Arkansas Constitution that shall be called the "Natural Resource Cannabis Amendment." The General Assembly shall pass such laws and regulations as will foster, implement, and aid the agricultural, manufacturing, industrial, commercial, medical, personal, recreational, and use, of the cannabis/marijuana/hemp industry interests of the State.

§ 2. Effective Date.
This amendment shall be effective on and after November 7, 2018.

§ 3. Purpose, Findings, Declarations, and Intent.
(a) In the interest of matters of statewide concern, to control, tax, and regulate the natural resource clean energy cannabis cultivation, distribution, sale, and use, and to protect Arkansans and the environment from potential dangers; and the efficient use of law enforcement resources, this amendment establishes the Bureau of Cannabis/Marijuana Control within the Department of Consumer Affairs to regulate and license the natural resource clean energy cannabis industry, due to Cannabis' Schedule I listing is disingenuous given the fact that the federal government cannot produce any research or evidence justifying its classification; and for promoting the economic and ecological vitality growth, enhancing revenues, eliminating revenue shortfalls; to be secure in the protection and improvement to prevent unreasonable depletion of a natural agriculture heritage and eradication of a valuable and natural resource, the cannabis plant (genus cannabis-marijuana) of numerous and inexhaustible potentials, and jobs, enhancing revenue for public purposes, individual freedom, and the health and public safety of our citizenry, the people of the state of Arkansas find and declare:

1. That currently, cannabis/marijuana growth and sale is not being taxed by the State of Arkansas, which means our state, is missing out on hundreds of millions of dollars in potential tax revenue every year. The Natural Resource Cannabis Amendment, will allow for taxing both the growth and sale of cannabis/marijuana generating revenue for the cost of administering the new law; public health programs that educate to prevent substance abuse; efficient use of law enforcement resources; invest in communities to reduce the illicit marijuana market and create job opportunities; promoting the economic and ecological vitality growth, and eliminating revenue shortfalls annually.

2. That providing the citizenry with a future of opportunity by bringing JOBS in the natural resource clean energy cannabis industry; to protect the clean energy natural resource of inexhaustible potentials, allowing for energy independent biomass technology and jobs to America for the lawful cultivation, production, manufacturing, distribution, receiving, harvest, sale, possession, display, transport, purchase, storing, processing, testing, analyzing, packaging, paraphernalia/accessories, supplying to cannabis/marijuana facilities, and use, of the cannabis plant for recreational, industrial, commercial, personal, and medical purposes, and all products derived/produced containing cannabis/marijuana therefrom including the use of the unprocessed cannabis plant, which adheres to the current regulations and local, state, and federal laws; shall be legal for persons twenty-one (21) years of age or older; and including, but not limited to, the conflating of the cannabis/marijuana issues - which is the full legalization of cannabis/marijuana/hemp, bringing together into a composite whole of all of the cannabis issues; including the personal, recreational, commercial cultivation of the cannabis plants propagation, possession, and use; of which federal law holds precedence over state laws; therefore, bringing the intention issue of the otherwise continued federal raids to an end; and or any rule adopted
hereafter, the term “controlled substance” shall not include cannabis/marijuana; ending the federal prohibition on cannabis/marijuana. And including the removal from the schedule of controlled substances the terms where applicable, and striking “cannabis/marijuana” and “tetrahydrocannabinols”; including the removal of prohibition on shipping, transportation, import, and export of cannabis/marijuana upon passage of this amendment; and shall be legal within the state of Arkansas; and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under Arkansas law and regulated and taxed in like manner as similar products, purpose, and categories as any other textiles, commodity, agriculture, goods and services produced in or out of this state upon passage of this amendment.

3. That the purpose of this amendment, is to establish a comprehensive system to legalize, control, regulate, and tax the §4(s) listed activities of cannabis/marijuana/hemp, and the growth and sale of cannabis/marijuana; and governing cannabis/marijuana businesses set up at state levels and safeguards local control, allowing local governments to regulate cannabis/marijuana related activities, to subject cannabis/marijuana businesses to zoning and permitting requirements, and to ban cannabis/marijuana businesses by a vote of the people within a locality by taking cannabis/marijuana production and sales out of the hands of the illegal market; and bring them under a regulatory structure that prevents access by minor and protects public safety, public health, and the environment.

4. That by legalizing cannabis/marijuana, this amendment will alleviate pressure on the courts, but continue to allow prosecutors to charge the most serious cannabis/marijuana related offenses as felonies, while eliminating the penalties for minor cannabis/marijuana related offenses, greatly reducing the overall costs of maintaining a prison-police state for the 89% non-violent minor cannabis violators.

5. That this amendment creates an opportunity §4(b), and §10(a-r), for a comprehensive Regulatory structure in which, every cannabis/marijuana business is overseen by a specialized agency with relevant expertise. The Bureau of Cannabis/Marijuana Control, housed within the Department of Consumer Affairs, will oversee the whole system and ensure a smooth transition to the legal market, implementing §4(ee), and §10(a-r), with licenses issued beginning in 2020. The Department of Consumer Affairs will also license and oversee cannabis/marijuana retailers, distributors, and microbusinesses. The Department of Food and Agriculture will license and oversee cannabis/marijuana cultivation, ensuring it is environmentally safe. The Department of Public Health will license and oversee manufacturing and testing, ensuring consumers receive a safe and labeled product. The State Board of Equalization will collect the cannabis/marijuana taxes, and the Controller will allocate the revenue to administer the new law and provide the funds to critical investments upon passage of this amendment. Such excise tax shall be levied upon medical cannabis/marijuana intended for sale pursuant to §3(a)(5), and §8(e), and §10(m) of this amendment; there shall be local, state, federal, or special taxes imposed on medical cannabis/marijuana; medical cannabis/marijuana sold in this state shall not be tax exempt upon passage of this amendment.

6. That this amendment ensures the cannabis/marijuana industry in Arkansas will be built around small and medium sized businesses by prohibiting large-scale cultivation licenses for the first ten (10) years. This amendment, also protects consumers and businesses by imposing strict anti-monopoly restrictions for businesses that participate in the cannabis/marijuana industry, prohibiting corporate takeover of the cannabis industry; including “Unreasonable pricing”, preventing subjecting any person or entity to extortion or undue exaction, overcharge, and or excessive and unreasonable pricing or price
gouging; also including circumstances that would make it “Unreasonably impracticable” for any person or entity that the measures necessary to comply with the regulations require such a high investment of risk, money, time, or any other resource or asset that the operation of a cannabis/marijuana facility/establishment is not worthy of being carried out in practice by a reasonably prudent business person.

(b) In the interest of enacting rational policies for the treatment of all variations of the cannabis plant, the people of Arkansas further find and declare that industrial hemp should be regulated separately from strains of cannabis with higher (Delta-9-THC) delta-9-tetrahydrocannabinol (THC) concentrations.

(c) In the interest of the health and public safety of our citizenry, the people of the state of Arkansas further find and declare:

1. That the cultivation, production, distribution, sale, and use of cannabis/marijuana should be regulated so that:
   2. Individuals will have to show proof of age before purchasing cannabis/marijuana for recreational and or personal use;
   3. Legitimate, taxpaying business people, will conduct sales of cannabis/marijuana for recreational, industrial, commercial, personal, and medical purposes;
   4. Cannabis/marijuana sold by regulated businesses will be labeled and subject to regulations to ensure that consumers are informed and protected.

(d) The people of the state of Arkansas further declare that industrial hemp should be grown as an agricultural product, and for agricultural or academic research, and regulated separately from the strains of cannabis with higher (Delta-9-THC) delta-9-tetrahydrocannabinol concentrations; and regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state.

(e) Selling, distributing, purchasing, possession, or transferring cannabis/marijuana by and to individuals that are considered mentally impaired and or minors by the state of Arkansas under the age of twenty-one (21) years shall remain illegal.

(f) The people of the state of Arkansas further find and declare that it is necessary and are matters of statewide concern to ensure consistency and fairness in the application of this amendment throughout the state; and that, therefore, the matters addressed by this amendment are, as specified herein; and including, but not limited to, that it shall be illegal for any person(s) to participate in any pay-to-play transactions, i.e. any legal citizen(s) desiring to change a local, state, or federal law can do so, and shall not be impeded, denied, or abridged in doing so regardless of insufficient resources, or inability to pay; upon certification of this amendment, and without being charged for such actions of the amendment to ballot processes, including but not limited to, the submission for printing, publishing, obtaining signatures, traveling, etc., eliminating the exorbitant costs and excessive burden on the Sponsor of lessor means, and making it affordable to all; and that if charged costs for amendment to ballot processes, the costs will be retroactively reimbursed within thirty(30) days of claim to the entity, of being charged, from the entity charging the costs; regarding whether the costs occurred prior to, during, and or after the effective date of this amendment; that it shall be illegal for any person(s) to impede, deny, or abridge any legal citizen(s) voting rights to wit: forcing registration of any legal citizen(s) to vote when presenting a valid form of photo ID (i.e. Driver’s License, or a State ID card); and that where applicable to the rules, regulations, and laws to be amended as to foster, implement, and aid
the aforementioned, and following, making these rights of the people available to all legal citizens regardless of race, color, servitude, or means, to have the ability to vote. This amendment being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this amendment takes effect upon its passage.

(g) Nothing in this amendment proposes or intends to require any individual or entity to engage in any conduct that violates, or exempt any individual or entity from any requirement of, or pose any obstacle to federal enforcement of federal law upon passage of this amendment.

§ 4. Definitions.

(a) “Board” is defined for the purposes of this amendment means the Alcoholic Beverage Control Board; or the Cannabis/Marijuana Control Board, or the State Board of Equalization.

(b) “Bureau of Cannabis/Marijuana Control” is defined for the purposes of this amendment under §10(a-r), shall administer, regulate, and create an opportunity for a comprehensive Regulatory structure in which every cannabis/marijuana business is overseen by a specialized agency with relevant expertise; and housed within the Department of Consumer Affairs, and will oversee the whole system and ensure a smooth transition to the legal market, implementing §4(ee), and §10(a-r), with licenses issued beginning in 2020.

(c) “Cannabis/Marijuana” for the purposes of this amendment are used synonymously and interchangeably and mean the same thing; and is defined for purposes of this amendment as any part of the natural resource clean energy cannabis plant (genus Cannabis), living or not, including seeds, resin, concentrate, every compound, manufacture, salt, derivative, mixture, or preparation of the plant, and containing greater than one percent (1%), by dry weight, Delta-9-Tetrahydrocannabinol (Delta-9-THC). And any person(s) that come into contact with cannabis in any way, shape, or form, that engage in acts permitted by this amendment has immunity from disciplinary action, and shall not be subject to detainment, arrest, penalty in any manner or denied any right or privilege or suffer any retribution from any agency, business, or entity, in accordance with and upon passage of this amendment.

(d) “Cannabis/Marijuana accessories/paraphernalia” means any equipment, products, or materials of any kind which are used, intended for use, or designed for use in, including but not limited to planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, smoking, concealing, or containing cannabis/marijuana, or for ingesting, inhaling, or otherwise introducing cannabis/marijuana into the human body, or cannabis/marijuana products therefrom, including cannabis infused products for person(s) twenty-one (21) years of age or older; and notwithstanding any other provision of law, the aforementioned, and following, to possess, purchase, distribute, transfer, transport, display, and or sell; and can possess and have on their person or in close proximity to, up to three (3) ounces or less of cannabis/marijuana and or as defined in §4(y); and or for being in the presence or vicinity of the use of cannabis; shall not be subject to detainment, arrest, penalty in any manner or denied any right or privilege, or suffer any retribution from any person, agency, business, or entity for the use of cannabis in accordance with this amendment; and shall be lawful within the state of Arkansas; which adheres to the current regulations and local, state, and federal laws; and shall be lawful whether in or out of the state of Arkansas, and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws; and regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity,
agriculture, goods and services produced in or out of this state for person(s) twenty-one (21) years of age or older upon passage of this amendment.

(e) “Cannabis/Marijuana Control Board”. is defined for the purposes of this amendment under §9(b), and §10(c), for the cannabis industry that the Legislature shall create within six (6) months a Cannabis/Marijuana Control Board within the Department of Commerce, Community, and Economic Development or its successor agency to assume the power, duties, and responsibilities delegated to the Alcoholic Beverage Control Board under and upon passage of this amendment.

(f) “Cannabis/Marijuana Cultivation Facility” is defined for the purposes of this amendment as being licensed by the Bureau of Cannabis/Marijuana Control under §4(b)(e)(g)(s)(cc)(ee), §6(e), and §10(a)(c), of this amendment for a cannabis/marijuana cultivation and growing facility imparting equal pay for equal work, fair wages, training, working conditions, regulations, and safety conditions to all employee(s) and personnel; such regulations are subject to the following conditions and shall include all the aforementioned and hereafter: maintain a database that enables verification of all transactions that are to be recorded with any activity involving the preparation, planting, growing, harvesting, drying, curing, grading, trimming, processes, packaging, selling, or transporting cannabis/marijuana to a dispensary, business, person, or entity; including but not limited to clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis/marijuana; including but not limited to §4(g) 1-13; and including “Testing services” in a laboratory, facility, or entity in the state, that offers or performs tests of cannabis/marijuana and products therefrom, and shall be lawful whether in or out of the state of Arkansas; and shall not be an offense or illegal; or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws; and regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state for person(s) twenty-one (21) years of age or older upon passage of this amendment; including the equipment provided by such laboratory, facility, or entity, and is “Accredited” by an accrediting body that is independent from all other persons involved in commercial cannabis/marijuana activity in the state; “Registered” with the Department of Public Health; and uses a method under §4(ee), for Automatic Identification and Data Capture; an API, a RFID tag, an “Unique Identifier”. It shall not be limited or prohibited for the number of lawful cannabis operational facilities per person; but only one (1) cannabis/marijuana license per year, per county, per each valid lawful operational facility; except that in conjunction with the aforementioned, no qualified person shall own interest in more than; one (1) dispensary facility, or one (1) cultivation facility; and a licensee shall not also be licensed or hold interest in or as a retailer of alcoholic beverages or of tobacco products.

(g) “Cannabis/Marijuana Dispensary and Cultivation Facility” are defined for the purposes of this amendment as being licensed by the Bureau of Cannabis/Marijuana Control under §4(b)(e)(f)(s)(cc)(ee), and §6(e) of this amendment for a cannabis/marijuana facility imparting equal pay for equal work, fair wages, training, working conditions, regulations, and safety conditions to all employee(s) and personnel; such regulations are subject to the following conditions and shall include all the aforementioned and hereafter: maintain a database that enables verification of all transactions that are to be recorded with any activity involving the purchase of cannabis, and cannabis/marijuana products produced therefrom for recreational, industrial, commercial, personal, and medical purposes, as defined in §4(s), and shall be lawful whether in or out of the state of Arkansas, and shall not be an offense or illegal under local, state, federal, or Arkansas laws; or be a basis for seizure or forfeiture of
assets under local, state, federal, or Arkansas laws; and regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state for person(s) twenty-one (21) years of age or older. A person twenty-one (21) years or older can purchase cannabis/marijuana at any valid state licensed dispensary of their choice with a valid medical cannabis/marijuana ID card or its equivalent, or a cannabis/marijuana license, and or a hemp license upon passage of this amendment.

1. A qualified person must be an Arkansas state resident of seven (7) consecutive years or more to be a licensed owner of a dispensary or a cultivation facility.

2. It shall not be limited or prohibited for the number of lawful cannabis operational facilities per person; but only one (1) cannabis/marijuana license per year, per county, per each valid lawful operational facility; except that in conjunction with the aforementioned, no qualified person shall own interest in more than; one (1) dispensary facility, or one (1) cultivation facility; and a licensee shall not also be licensed or hold interest in or as a retailer of alcoholic beverages or of tobacco products.

3. Both a dispensary facility and a cultivation facility license shall expire one (1) year after the date of issuance. A license renewal for a dispensary facility or a cultivation facility will be issued within ten (10) days to any entity who complies with the requirements contained in this amendment before the expiration date on license held, including accompanied payment of the renewal fee.

4. Both a dispensary facility and a cultivation facility may receive compensation for providing the goods and services aforementioned and following under this amendment.

5. A dispensary may acquire, manufacture, grow, sell, possess, deliver, transfer, transport, supply and dispense up to three-hundred (300) mature cannabis/marijuana plants, and all products derived/produced therefrom the cannabis plant including seedlings, seeds, cuttings, the use of the unprocessed cannabis plant, and marijuana paraphernalia as to meet the consumer demands at any time to qualifying person(s), patient(s), designated caregiver(s), and businesses.

6. A dispensary may contract with a cultivation facility to cultivate, transfer, and transport the requested number of cannabis/marijuana plants and products the dispensary is permitted to grow and sell.

7. A cultivation facility may grow, cultivate, possess, transfer, and transport cannabis/marijuana and all products derived/produced therefrom the cannabis plant including the use of the unprocessed cannabis plant to meet the demand as determined for the needs of the qualifying consumers and the dispensaries, and shall be lawful whether in or out of the state of Arkansas, and shall not be an offence or illegal, or be a basis for seizure or forfeiture of assets under local, state, or Arkansas laws upon passage of this amendment.

8. A cultivation facility may sell cannabis/marijuana to another cultivation facility, a manufacturing facility, an industry or commercial facility, and or a dispensary where deemed necessary by request for an order of product and shall be lawful whether in or out of the state of Arkansas, and shall not be an offence or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws upon passage of this amendment.

9. Any licensed cannabis/marijuana facility that does including but not limited to under §4(s); all or either, plants, grows, cultivates, prepares, harvests, dries, cures, grades, trims, packages, possesses, transfers, transports, sells, delivers, tests, and processes the genus cannabis plant has an obligation to create a category of biological classifications rankings; determine the DNA species strain name; and THC
potency levels of each different plant species; for the labeling, ensuring that the public health and safety of consumers are informed and protected.

10. A consumer, upon showing proof of age, who purchases cannabis or cannabis/marijuana products produced therefrom can purchase from a dispensary or a cultivation facility for recreational and or personal use, but not for resale to others and can do so without a cannabis/marijuana license.

11. All in or out of state confirmed valid medical cannabis/marijuana ID cards or its equivalent are valid at any cannabis/marijuana dispensary or cultivation facility within the state of Arkansas.

12. Both dispensary and cultivation facilities are subject to random nonscheduled reasonable inspections appointed by the Bureau of Cannabis/Marijuana Control to a designated agency(s) for the health and public safety of the people of the state of Arkansas when deemed necessary.

13. All cannabis facilities, vehicles, and personnel shall have issued as defined in §4(ee) a track and trace unique identifier ‘Security Key Card ID’ for entrance into locked areas of usable cannabis.

(h) “Cannabis/Marijuana/hemp license” is defined for purposes of this amendment as a valid license issued by the state to the licensee, any qualified agency, business, entity, or person twenty-one (21) years of age or older for as defined in §4(s)(f)(g)(q)(cc), of the cannabis plant for recreational, industrial, commercial, personal, and medical purposes, and all products derived/produced therefrom the cannabis plant including the use of the unprocessed cannabis plant are lawful within the state of Arkansas; which adheres to the current regulations, and local, state, federal, and Arkansas laws upon passage of this amendment. Any cannabis license holder or medical cannabis ID holder can purchase hemp for whatever reasons needed. Each license shall display a license account number, facility/premises name, address, and expiration date, including licensee photo, name, date of birth, and address. A license annual renewal for an agency, business, or entity will be issued within ten (10) days to any entity who complies with the requirements contained in this amendment before the expiration date on license held, including accompanied payment of renewal fee. And each valid medical cannabis registration ID, and certification as defined in §4(u) shall display a qualifying patient’s prescribed medication labeled to show the name of the physician, patient, pharmacy name address and phone number, RX number, date issued, dosage use, and frequency, description, refill date, quantity amount, designated quality type and medication name, and designated caregiver if any; and established by a sliding scale based upon income, a medical cannabis ID shall be renewable annually; or for the duration set by the physician. A license or a medical cannabis ID card may be revoked or suspended if either facilitated a crime and or a violation of any provision of this amendment, or any other penalties established in law for the crime or violation upon passage of this amendment.

(i) “Cannabis/Marijuana related facility and Personnel” are defined for the purposes of this amendment as a valid licensed cannabis operational facility imparting equal pay for equal work, fair wages, training, working conditions, regulations, and safety conditions to all employee(s) and personnel; such regulations are subject to the following conditions and shall include all the aforementioned and hereafter: notwithstanding any other provision of law, the following acts, when performed by a lawful licensed operational facilities or a valid licensee, any qualified person(s) twenty-one (21) years of age or older performing in capacity as an owner, employee, or agent of the facility, are lawful and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws: as defined in §4(c)(s)(cc), and or to lease or otherwise allow the use of property owned, occupied or controlled by any qualified person(s), corporation, or other entity for any of the activities conducted lawfully in accordance with the aforementioned and following, for recreational, industrial,
commercial, personal, and medical purposes, of products derived/produced therefrom the cannabis/marijuana plant including the use of the unprocessed cannabis plant. All cannabis and cannabis infused products produced therefrom shall be subject to quality assurance, inspection, and testing to ensure that consumers are informed and protected upon passage of this amendment. Any cannabis industry related personnel, facilitator, facility, provider, owner, agent, employee, patient, or consumer, shall be prohibited from, and shall not cause self or others to accept, solicit, or offer any form of pecuniary remuneration to undermine the cannabis industry. All cannabis facilities, vehicles, and personnel shall have issued as defined in §4(ee) a track and trace unique identifier ‘Security Key Card ID’ for entrance into locked areas of usable cannabis.

(j) “Commercial cannabis/marijuana facility” is defined for the purposes of this amendment as an entity, a company licensed to and engaged in commerce the exchange or buying and selling of commodities on a small or large scale involving transportation from place to place for production or service as a cannabis/marijuana facility, as defined in §4(c)(s)(cc), imparting equal pay for equal work, fair wages, training, working conditions, regulations, and safety conditions to all employee(s) and personnel; such regulations are subject to the following conditions and shall include all the aforementioned and hereafter: and shall be lawful whether in or out of the state of Arkansas, and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws; and regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state for person(s) twenty-one (21) years of age or older upon passage of this amendment.

(k) “Consumer” as defined for the purposes of this amendment means a person twenty-one (21) years of age or older who purchases cannabis or cannabis/marijuana products produced therefrom for including, but not limited to, recreational and or personal use but not for resale to others and can do so without a cannabis/marijuana license.

(l) “Controlled Substance” as defined for the purposes of this amendment means a drug that requires permission from a physician/doctor to prescribe for use for the treatment of a disease, illness, or injury; to wit: the cannabis plant (genus Cannabis) marijuana an intoxicant; a substance (as a drug) whose use and possession is regulated by law in the following statute and or any rule adopted hereafter, where applicable, the term “controlled substance” shall not include cannabis and or marijuana: (title 21, chapter 13 of the U.S. Code).

(m) “Department” means Bureau, and or, Department governmental agency where applicable i.e., the Bureau of Cannabis/Marijuana Control, the Department of Consumer Affairs, the Department of Finance and Administration / Department of Revenue or its successor agency.

(n) “Excise tax” is defined for the purposes of this amendment means a cannabis excise tax shall be imposed upon purchasers of cannabis, and cannabis products sold at the rate of five (5%) percent of the gross receipts of sales from any cannabis industry retail, non-retail, a retailer, microbusiness, nonprofit, business, property, and county taxes, and all sales of cannabis and cannabis infused products produced therefrom, and goods and services by an entity or other person required to be licensed pursuant to this amendment to sell cannabis/marijuana/hemp directly to a purchaser; excise duty on inland/import, and custom duties on border/export; and levied upon wholesale sales of cannabis/marijuana/hemp an excise tax of at a rate of five (5%) percent and not to exceed ten (10%) percent; prior to January 1, 2030, of which the first $30 million in revenue raised annually by such tax be credited to the public schools.
An excise or excise tax (sometimes called a special excise duty) is an inland tax on the sale, or production for sale, of specific goods or a tax on a good produced for sale, or sold, within a country or licenses for specific activities. Excises are distinguished from customs duties, which are taxes on importation. Excises are inland taxes, whereas customs duties are border taxes. An excise is considered an indirect tax, meaning that the producer or seller who pays the tax to the government is expected to try to recover or shift the tax by raising the price paid by the buyer. Excises are typically imposed in addition to another indirect tax such as a sales tax or value added tax (VAT). An excise is distinguished from a sales tax or VAT in three ways:

1. An excise typically applies to a narrower range of products;
2. An excise is typically heavier, accounting for a higher fraction of the retail price of the targeted products; and
3. An excise is typically a per unit tax, costing a specific amount for a volume or unit of the item purchased, whereas a sales tax or VAT is an ad valorem tax and proportional to the price of the good. Typical examples of excise duties are taxes on gasoline and other fuels, and taxes on tobacco and alcohol (sometimes referred to as sin tax).

General Revenue Fund or Fund” as defined for the purposes of this amendment as an account for receiving monies for the entity designated named general revenue fund account; funds received from at the state and local levels of government that may be utilized for any purposes within the designated named entity. These unallocated funds are acquired through business and property taxation. Since the funds are not governed by law, a designated named entity may use the funds to engage in a variety of activities within their own designated named entity departments, such as for but not limited to administration, costs, improvements, labor, new hires, employees, technology, etc.

“Industrial Hemp” is defined for purposes of this amendment as (hemp) any part of the cannabis plant (genus Cannabis), living or not, containing one percent (1%) or less, by dry weight, Delta-9-Tetrahydrocannabinol (Delta-9-THC).

“Industrial hemp related facility” is defined for the purposes of this amendment as an entity, a company licensed to engage in industrial production or service as a lawful valid licensed operational cannabis/marijuana facility imparting equal pay for equal work, fair wages, training, working conditions, regulations, and safety conditions to all employee(s) and personnel; such regulations are subject to the following conditions and shall include all the aforementioned and hereafter: notwithstanding any other provision of law, the following acts, when performed by a lawful licensed operational facility or a valid licensee, any qualified person(s) twenty-one (21) years of age or older performing in capacity as an owner, employee, or agent of the facility as defined in §451(c), and or to lease or otherwise allow the use of property owned, occupied or controlled by any qualified person(s), corporation or other entity for any of the activities conducted lawfully in accordance with the aforementioned, for recreational, industrial, commercial, and medical purposes, including products derived/produced therefrom the cannabis plant including the use of the unprocessed cannabis plant are lawful and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws; and any person(s) that come into contact with cannabis/hemp in any way, shape, or form, that engage in acts permitted by this amendment has immunity from disciplinary action, and shall not be subject to detainment, arrest, penalty in any manner or denied any right or privilege or suffer any retribution from any agency, business, or entity for the use of cannabis/hemp in accordance with this amendment. All cannabis and cannabis/marijuana/hemp products produced
therefrom shall be subject to quality assurance, inspection, and testing to ensure that consumers are informed and protected. And including that industrial hemp should be grown as an agricultural product, and for agricultural or academic research, and regulated separately from the strains of cannabis with higher (Delta-9-THC) delta-9-tetrahydrocannabinol concentrations; and regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state upon passage of this amendment.

(r) “License” and “Licensee” as defined for the purposes of this amendment means any qualified person(s), agency, business, or entity receiving from the state a valid license and or a valid medical cannabis registration ID card, for the designated application of operation or condition as defined in §4(f)(g)(h)(q)(s)(t)(w)(cc)(gg)(ii), §5(b)(2)(4), §6(g), and §10(a), upon passage of this amendment. Within one hundred twenty (120) days after the effective date of this amendment, the Bureau shall adopt rules establishing license application, license renewal fees, and issuance of temporary licenses for less than twelve (12) months, for a cannabis business facility; with license applications beginning no later than six (6) months after the passage of this amendment; and with licenses issued beginning March 6, 2020. A licensee’s annual license renewal for any cannabis industry facility will be issued within ten (10) days to any entity who complies with the requirements contained in this amendment before the expiration date on license held, including accompanied payment of the renewal fee. A license or a medical cannabis ID card may be revoked or suspended if either facilitated a crime and or a violation of any provision of this amendment, or any other penalties established in law for the crime or violation upon passage of this amendment.

(s) “Listed activities of qualified person(s) regarding cannabis/marijuana/hemp” is defined for the purposes of this amendment as an entity or qualified person(s) as defined in §4(cc), for performing in the capacity as an owner, employee, or agent of the facility, a function or duty for the valid licensed cannabis/marijuana facility employed by, for the lawful, including but not limited to cultivation, production, manufacturing, distribution, receiving, harvest, sale, possession, display, transport, labeling, transfer, purchase, storing, processing, testing, analyzing, packaging, paraphernalia/accessories, delivering, supplying to cannabis/marijuana facilities, and use of the cannabis plant for recreational, industrial, commercial, personal, and medical purposes, and all products derived/produced therefrom the cannabis plant including the use of the unprocessed cannabis plant; and all in or out of state confirmed valid medical cannabis/marijuana ID cards are valid at any cannabis/marijuana dispensary within the state of Arkansas; on behalf of and under the umbrella of the licensed cannabis/marijuana facility; including, but not limited to, the licensee(s) owned residential, and or other owned properties; and or to lease or otherwise allow the use of property owned, occupied or controlled by any qualified person(s), corporation or other entity for any of the activities conducted lawfully in accordance with, and notwithstanding any other provision of law, the aforementioned and following. And including the use thereof means concentrated cannabis/marijuana products, and cannabis/marijuana products that are comprised of cannabis/marijuana and other legal ingredients, including cannabis infused products, and are intended for use of consumption, such as, but not limited to cannabis infused, edible, and drink products, ointments, tinctures, textiles, building materials, industrial products, paper, energy and environmental products, body-care, and technical products; which adhere to the current regulations and local, state, and federal laws, and shall be regulated under state law; and including, but not limited to the conflating of the cannabis/marijuana issues — which is the full legalization of cannabis/marijuana/hemp, bringing together into a composite whole of all of the
cannabis/marijuana issues; including the personal, recreational, medical, industrial, and commercial
cultivation of the cannabis plants propagation, possession, and use; of which federal laws hold
precedence over state laws; therefore, bringing the intention issue of the otherwise continued federal
raids to an end; shall be legal within the state of Arkansas; and shall be lawful whether in or out of the
state of Arkansas, and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets
under local, state, federal, or Arkansas laws; and regulated and taxed in like manner as similar products,
purpose, and categories such as any other textile, commodity, agricultural, goods and services produced
in or out of this state for person(s) twenty-one (21) years of age or older; and all cannabis and
cannabis/marijuana products produced therefrom shall be subject to quality assurance, inspection, and
testing upon passage of this amendment.

(t) “Medical Cannabis/Marijuana” is defined for the purposes of this amendment means a
qualifying patient with a qualifying medical condition, or symptom as a qualifying medical condition, as
defined in §4(x)(dd), including but not limited to the acquisition, possession, use, delivery, transfer, or
transportation of cannabis/marijuana or paraphernalia relating to the administration of
cannabis/marijuana to treat or alleviate the aforementioned, or the cannabis/marijuana and products
produced therefrom containing cannabis/marijuana, including cannabis infused products, and including
the use of the unprocessed cannabis plant that is used for the treatment of a disease, illness, or injury;
and at any time a person while undertaking any task under the influence of medical cannabis senses
when doing so would impede his or her ability, and to continue, the task would be compromised, and
when reported shall not be subject to any disciplinary action, detainment, arrest, penalty in any manner
or denied any right or privilege or suffer any retribution from any agency, business, or entity for the
medical use of cannabis in accordance with this amendment; instead will be given an alternative place to
rest until the medication levels out and he or she can return to the task; and shall be legal whether in or
out of the state of Arkansas; and shall not be an offense or illegal; or be a basis for seizure or forfeiture
of assets under local, state, federal, or Arkansas laws; and regulated in like manner as similar products,
purpose, and categories such as any other textile, commodity, agricultural, goods and services produced
in or out of state confirmed valid medical cannabis/marijuana ID card or its equivalent that is issued allowing patients to
access medical cannabis/marijuana in states where it’s legal without fear of federal prosecution are valid
at any cannabis/marijuana dispensary within the state of Arkansas; and shall disclose a qualifying
patient’s prescribed medication labeled to show the name of the physician, patient, pharmacy name,
address, and phone number, RX number, date issued, dosage use, and frequency, description, refill date,
quantity amount, designated quality type and medication name, and designated caregiver if any; and
established by a sliding scale based upon income, a medical cannabis ID shall be renewable annually; or
for the duration set by the physician; a medical cannabis ID card may be revoked or suspended if
facilitated a crime and or a violation of any provision of this amendment, or any other penalties
established in law for the crime or violation upon passage of this amendment.

(u) “Medical Cannabis/Marijuana Written Recommendation/Certification” is defined for the
purposes of this amendment as a document signed by a physician, a licensed medical doctor, who is
licensed in this state, authorizing the use of medical cannabis/marijuana to a qualified patient; stating in
his or her professional opinion that after full assessment of medical history and current medical
condition of the patient that the cannabis use potential benefits outweigh the health risks. The medical
record shall be noted and disclose showing both the document and prescription shall contain a
qualifying patient’s prescribed medication labeled to show the name of the physician, patient, pharmacy name, address, and phone number, RX number, date issued, dosage use, and frequency, description, refill date, quantity amount, designated quality type and medication name, and designated caregiver if any; including which orders may be refilled and as long as needed to supply the patient’s need, an expiration date; and if necessary, referring to physician and parent protection clause for in the interest of health and public safety of our patients, a name of a designated caregiver an adult or relative twenty-one (21) years of age or older in possession of a cannabis ID card who may purchase the medication for the patient that is mentally challenged and or impaired, validated by a physician, a licensed medical doctor; the caregiver may receive compensation for providing the goods and services of the aforementioned; and shall not be subject to detainment, arrest, penalty in any manner or denied any right or privilege or suffer any retribution from any agency, business, or entity for the medical use of cannabis in accordance with this amendment for both the qualifying patient or designated caregiver; that each can possess and have on their person or be in close proximity to, not more than three ounces (3 oz) of cannabis/marijuana.

(v) “Non-Retail Cannabis/Marijuana Facility/Establishment/Premises/Store” is defined for the purposes of this amendment means an entity licensed to lawfully purchase and sell, from and to cannabis/marijuana facilities, and to cultivate, produce, and distribute cannabis/marijuana and products derived/produced therefrom containing cannabis/marijuana including the use of the unprocessed cannabis plant and including infused with cannabis/marijuana to consumers for non-retail purposes, the selling of goods and services outside the confines of a retail facility; as defined in §4(s)(cc), imparting equal pay for equal work, fair wages, training, working conditions, regulations, and safety conditions to all employee(s) and personnel; such regulations are subject to the following conditions and shall include all the aforementioned and hereafter: and shall be lawful whether in or out of the state of Arkansas, and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws; and regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state for person(s) twenty-one (21) years of age or older upon passage of this amendment.

(w) “Non-Retail cannabis/marijuana License” is defined for purposes of this amendment as a valid license registration issued by the state to the licensee, any person twenty-one (21) years of age or older for as defined in §4(s)(cc), of the cannabis plant for recreational, industrial, commercial, personal, and medical purposes, and all products derived/produced therefrom containing cannabis/marijuana including the use of the unprocessed cannabis plant and infused with cannabis are lawful within the state of Arkansas; which adheres to the current regulations and local, state, and federal laws upon passage of this amendment for non-retail purposes, the selling of goods and services outside the confines of a retail facility. Each license shall display a license account number, facility/premises name, address, date issued, and expiration date, including licensee photo, name, date of birth, and address.

(x) “Patient” is defined for the purposes of this amendment means an Individual, a qualified Patient, that has been diagnosed, and issued a cannabis ID card, and under the medical care and treatment of a licensed medical physician of medicine or osteopathic medicine with a current valid unrestricted license to practice and prescribe controlled substances including medical cannabis/marijuana for a qualifying medical condition as defined in §4(dd); the patient or caregiver is allowed to possess on their person or in close proximity to, up to three (3) ounces of medical cannabis/marijuana; and shall not be subject to detainment, arrest, penalty in any manner or denied any
right or privilege, or suffer any retribution from any person, agency, business, or entity for the medical
use of cannabis in accordance with this amendment upon passage of this amendment.

(y) "Personal use of cannabis/marijuana" is defined for the purposes of this amendment as
defined in §6(l)(m), and §4(gg) there is no required license or cost for the personal recreational use of
cannabis/marijuana or hemp for the resident within their private domestic domain and property; and in
§4(s), for any person(s) twenty-one (21) years of age or older can possess and have on their person or in
close proximity to, up to three (3) ounces or less of cannabis/marijuana and or as defined in §4(d); and
or including plant (genus Cannabis) marijuana products derived/produced therefrom the cannabis plant,
and the use thereof means concentrated cannabis/marijuana products, and cannabis/marijuana
products therefrom, that are comprised of cannabis/marijuana and other legal ingredients, including
cannabis infused products intended for use of consumption, such as, but not limited to, smoking,
inhaling, edible or topical products, and drink products, ointments, textiles, building materials,
industrial products, paper, energy and environmental products, body-care, and technical products; and
including, but not limited to, the conflating of the cannabis/marijuana issues – which is the full
legalization of cannabis/marijuana/hemp, bringing together into a composite whole of all of the
cannabis/marijuana issues; including the personal, recreational, and commercial cultivation of the
cannabis plants propagation, possession, and use; of which federal law holds precedence over state
laws; therefore, bringing the intention issue of the otherwise continued federal raids to an end; and shall
be legal within the state of Arkansas; and shall not be an offense or illegal, or be a basis for seizure or
forfeiture of assets under local, state, federal, or Arkansas laws; and regulated and taxed in like manner
as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods
and services produced in or out of this state; a person shall not be subject to detainment, arrest, or
penalty in any manner or denied any right, privilege, license, or suffer any retribution from any person,
agency, business, or entity for personal use of cannabis/marijuana, unless otherwise, obvious influence
impairment is prominent and paramount, upon passage of this amendment.

(z) “Physician” is defined for the purposes of this amendment means any Arkansas physician with
a DEA license to prescribe narcotics to authorize cannabis/marijuana for patients; that is a licensed
medical doctor of medicine or osteopathic medicine who has a current unrestricted valid license to
practice and has been issued a registration from the United States Drug Enforcement Administration
(DEA) to prescribe controlled substances including medical cannabis/marijuana. A qualifying patient’s
prescribed medication shall be labeled to show the name of the physician, patient, pharmacy name
address and phone number, RX number, date issued, use dosage and description, refill date, quantity
amount, designated quality type and medication name, and designated caregiver if any, ensuring
consumers receive a safe and labeled product. A physician shall not be subject to detainment, arrest, or
penalty in any manner or denied any right, privilege, license, or suffer any retribution from any person,
agency, business, or entity for providing a written certification applicable to the physician-patient
relationship and care for medical cannabis/marijuana upon passage of this amendment.

(aa) “Products produced” is defined for purposes of this amendment means cannabis/marijuana
that has undergone a process whereby the plant material has been transformed into products
derived/produced therefrom, including cannabis infused products, consisting of, including, but not
limited to, any items or substances manufactured from or with the cannabis plant (genus Cannabis) for
the cultivation, production, manufacturing, distribution, receiving, harvest, sale, possession, display,
transfer, transport, purchase, storing, processing, testing, analyzing, packaging, supplying to cannabis
facilities, paraphernalia/accessories, and use of the cannabis plant (genus Cannabis) for recreational, industrial, commercial, medical, and personal use, and all variations of the cannabis plant, including seeds and resin, whether or not, combined with other legal ingredients, as an ingredient or component, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant resulting in all products derived/produced therefrom the cannabis plant (genus Cannabis); including variations of concentrated, and or comprised of other legal ingredients and are intended for use or consumption produced therefrom the cannabis plant and the use thereof; including cannabis infused products, and cannabis/marijuana products produced therefrom that are comprised of cannabis and other legal ingredients; such as, but not limited to, cannabis infused, edibles, and drink products, topical ointments, and tinctures, textiles, building materials, industrial products, paper, energy and environmental products, body-care, and technical products of the cannabis plant Delta-9-Tetrahydrocannabinol (Delta-9-THC), which constitutes a legal process and adheres to the current regulations and local, state, and federal laws and shall be legal within the state of Arkansas; and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws; and regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state for person(s) twenty-one (21) years of age or older upon passage of this amendment; whereas cannabis/marijuana products contain greater than one percent (1%) (Delta-9-THC) Delta-9-Tetrahydrocannabinol; and hemp products contain less than one percent (1%) Delta-9-THC.

(bb) “Products tracking code – UPC” is defined as a bar-coded universal product code label for tracking purposes of the products for inventory, ordering, and sales.

(cc) “Qualified person(s)” is defined for the purposes of this amendment includes any individual twenty-one (21) years of age or older, that is a natural born U.S. citizen, or a documented naturalized U.S. citizen, or a foreign-born alien person awaiting naturalization with qualified documentation, and an Arkansas state resident of seven (7) years or more; including a person(s) having an aggregate ownership interest in §4{s), in any firm, co-partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular, can own and or operate a cannabis facility; except that as defined in §4(g)(2). And any person(s) being appointed to hold an office in the Bureau or Board shall be a citizen of the United States; have residency in Arkansas at least ten (10) years preceding his or her appointment as a member; be at least twenty-five (25) years of age; and have conflating interest in the cannabis industry issues—which is the full legalization of cannabis/marijuana/hemp, bringing together into a composite whole of all of the cannabis issues; including but not limited to, the personal, recreational, industrial, medical, and commercial cultivation of the cannabis plants propagation, possession, and use. A member may receive authorized payment of a stipend not to exceed seventy-five dollars ($75.00) per day per meeting attended or for any day while performing any proper business of the Bureau or Board; and members shall not receive any other compensation, expense reimbursement, or in-lieu-of payments. The Bureau and Board may employ necessary staff to assist in the performance of its duties under this amendment; and if no staff is available for that purpose, then the Alcoholic Beverage Control Division shall provide the needed staff. Within thirty (30) days of the effective date of this amendment the initial members of the Bureau of Cannabis/Marijuana Control, and within six (6) months the Cannabis/Marijuana Control Board shall be appointed. Within nine (9) months of the effective date of this amendment the President Pro Tempore
of the Senate shall call the first meeting of the Bureau and Board.

(dd) “Qualifying medical conditions” is defined for the purposes of this amendment as hereafter; that has been diagnosed by a qualified licensed medical physician as a chronic or debilitating illness, injury, disease or medical condition or its treatment that produces one (1) or more including but not limited to the following: Anorexia; Anorexia; Anxiety disorders; Arachnoiditis; Arnold-Chiari malformation; Asthma, Attention deficit disorder/Attention deficit hyperactivity disorder (ADD/ADHD); Autism; Amyotrophic lateral sclerosis; Alzheimer’s disease; Bipolar disorder; Bulimia; Cachexia or wasting syndrome; Cancer; Causalgia; Chronic inflammatory demyelinating polyneuropathy (CIDP); Chronic insomnia; Chronic obstructive pulmonary disease (COPD); Chronic Spinal Disorders; Complex regional pain syndrome (CRPS)- types I and II; Crohn’s disease; Depression Disorders; Dercum’s disease (Adiposis dolorosa); Dystonia; Emphysema; Epilepsy; Fibromyalgia; Fibrous dysplasia; Glaucoma; Hepatitis C; HIV/AIDS Human immunodeficiency virus/immune deficiency syndrome; Hydrocephalus; Hydromyelia; Interstitial cystitis; Intractable pain (unresponsive to ordinary treatments); Lupus; Migraines; Myasthenia gravis; Myoclonus; Nail-patella syndrome; Neurofibromatosis; Parkinson’s disease; Peripheral neuropathy; Posterior lateral sclerosis (PLS); Post-concussion syndrome; Post-traumatic stress disorder (PTSD); Reflex Sympathetic Dystrophy (RSD) stages I, II, and III; Residual limb and phantom pain; Restless Leg Syndrome (RLS); Severe arthritis, multiple sclerosis; muscle spasms, nausea, and, seizures; Sjogren’s syndrome; Sciatica; Spino-cerebellar Ataxia (SCA); Spinal cord injury and/or disease; Syringomyelia; Tarlov cysts; Tourette’s syndrome; and Traumatic brain injury; Traumatic trimmers; and Ulcerative colitis.

(ee) “RFID tag”, “API”, “unique identifier” meaning a required alphanumeric code or designation used for reference to a specific plant or product sold on a licensed premises; the RFID is identified as a tag embedded, implanted, or secured in or on an object containing the electronically stored information that consists of the cannabis/marijuana facilities name, address, license number, and expiration date, including licensee photo, name, date of birth, and address; that collects energy from a nearby RFID reader’s interrogating radio waves that can be embedded, implanted or secured in or on an object for tracking purposes that need not be within the line of sight of the reader; which is a method for Automatic Identification and Data Capture. And in collaboration and synonymously with the Bureau of Cannabis/Marijuana Control, and departmental agencies, the API shall ensure that licensees are allowed to use third-party applications, programs and information technology systems to comply with the requirements of the expanded track and trace program to report the movement of cannabis and products therefrom, and regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agriculture, goods and services produced, and to communicate such information to licensing agencies as required by law throughout the distribution chain and provide, at a minimum, the same level of information for cannabis and products therefrom, as required to be reported for medical cannabis and medical cannabis products in or out of this state. Any software, database or other information technology system utilized to implement the expanded track and trace program shall support interoperability with third-party cannabis business software applications and allow all licensee-facing system activities to be performed through a secure “Application Programming Interface” (API) or comparable technology which is well documented, bi-directional, and accessible to any third-party application that has been validated and has appropriate credentials. The API or comparable technology shall have version control and provide adequate notice of updates to third-party applications. The system should provide a test environment for third-party applications to access that mirrors the production environment; and all cannabis facilities, vehicles, and personnel shall have issued
a track and trace unique identifier ‘Security Key Card ID’ for entrance into locked areas of usable cannabis upon passage of this amendment.

(ff) "Recreational cannabis/marijuana" is defined for the purposes of this amendment as cannabis/marijuana, as defined in §4(c)(d)(s)(y)(aa), and §6(l)(m), for the recreational and personal use, including the unprocessed cannabis plant, used by adults twenty-one (21) years of age or older as an intoxicant.

(gg) "Residential Home Business cannabis/marijuana License" is defined for the purposes of this amendment as a qualified person(s), an adult resident of twenty-one (21) years of age or older having a valid residential cannabis/marijuana license for a retail or non-retail home business, and or including as defined for in §5 industrial hemp issued by the state for their premises of private domain and property for purposes as defined in § 4(s); the cost of a home business residential cannabis/marijuana license shall not exceed fifty dollars ($50.00) per year for gross receipts under ten-thousand dollars ($10,000); in the event the gross receipts for a home business exceeds ten-thousand dollars ($10,000) the cost of the residential cannabis/marijuana license is two-hundred and fifty dollars ($250.00) per year. There is no required license or cost for the personal recreational use of cannabis/marijuana or hemp for the resident of their private domestic domain and property as defined in §4(y), and §6(l)(m).

(hh) "Retail cannabis/marijuana Facility/Establishment/Premises/Store" is defined for the purposes of this amendment means an entity licensed for the selling of consumer goods and or services to customers through multiple channels of distribution, and to purchase cannabis/marijuana from cannabis/marijuana cultivation and manufacturing facilities, and cannabis/marijuana products derived/produced therefrom the cannabis plant including the use of the unprocessed cannabis plant, and to sell cannabis/marijuana and infused with cannabis/marijuana and products produced therefrom to consumers; as defined in §4(s), imparting equal pay for equal work, fair wages, training, working conditions, regulations, and safety conditions to all employee(s) and personnel; such regulations are subject to the following conditions and shall include all the aforementioned and hereafter: and shall be lawful whether in or out of the state of Arkansas, and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws; and regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state for person(s) twenty-one (21) years of age or older upon passage of this amendment.

(ii) "Retail cannabis/marijuana license" is defined for purposes of this amendment as a valid license registration issued by the state to the licensee, any person twenty-one (21) years of age or older for as defined in §4(s)(cc), of the cannabis plant for recreational, industrial, commercial, personal, and medical purposes, and all products derived/produced containing cannabis/marijuana therefrom, including infused cannabis and products therefrom, and the use of the unprocessed cannabis plant, and are lawful within the state of Arkansas; which adheres to the current regulations and, local, state, and federal laws upon passage of this amendment for retail purposes, the process of selling consumer goods and or services to customers through multiple channels of distribution. Each license shall display a license account number, facility/premises name, address, date issued, and expiration date, including licensee photo, name, date of birth, and address.

(jj) "Royalty/Special Tax/Interest Fee payment." is defined for the purposes of this amendment means a permanent quarterly royalty/special tax/interest fee/compensation of twenty percent (20%) to the Retinue Consortium Corporation, for the consulting, promoting and creating
businesses; or its successor; based on all sales from any entity based on the total, including but not limited to, package price per unit/item/service/goods/product; as defined in §4(s), on cannabis or infused with cannabis sold, made possible by the founder and author of the NRCA amendment upon passage; and at a future rate to be determined by Retinue Corporation thereafter. The royalty/special tax/interest fee/compensation shall be a special tax that can be used for more than one purpose without losing its status as a special tax. A share to be paid to the writer/author/founder or composer for the work of the amendment upon passage; out of the proceeds resulting from all sales on cannabis, including infused with cannabis and products therefrom, goods and services. The royalty payments receiver has the right of audit to inspect the business entity's books. The frequency of royalty audits, and who pays for the audits, what copies can be made, confidentiality agreements, and other terms and conditions on points of negotiations regarding the contracts are to be paid by the business entity paying the royalty.

(kk) "Seizure or forfeiture of assets" is defined for the purposes of this amendment means to prohibit the seizure or forfeiture by law enforcement of a person(s) assets of items of value, to wit: including but not limited to, the personal, and or real estate property(s), bank account(s), and vehicle(s), for any of the aforementioned and hereafter within this amendment, and as defined in §4(s), upon passage of this amendment.

(ll) "Special taxes." is defined for the purposes of this amendment means the term "special taxes" means taxes which are levied for a specific purpose. A special tax can be used for more than one purpose without losing its status as a special tax. A special tax is a tax levied for a specific purpose, rather than a levy placed in the general fund to be utilized for general business purposes.

(1) All cannabis/marijuana taxation the Bureau of Cannabis/Marijuana Control or designated agency shall administer and collect the taxes imposed as defined in §10(e-j).

(mm) "Unreasonable pricing" is defined for the purposes of this amendment as to subject any person or entity to extortion or undue exaction, overcharge, and or excessive and unreasonable pricing or price gouging.

(nn) "Unreasonably impracticable" is defined for the purposes of this amendment means that the measures necessary to comply with the regulations require such a high investment of risk, money, time, or any other resource or asset that the operation of a cannabis/marijuana facility/establishment is not worthy of being carried out in practice by a reasonably prudent business person.

(oo) "Violations and Penalties" as defined for the purposes of this amendment as a punishment imposed or incurred for a violation of law or rule of cannabis/marijuana/hemp as set forth in this amendment being punishable listed by the implemented set scheduled and adopted rules and regulations by the Bureau of Cannabis/Marijuana Control and or the Cannabis/Marijuana Control Board; included but not limited to, a person(s), school, landlord, employer, agency, business, or entity shall not discriminate against, refuse enrollment, admittance, lease to, or cause any suffering of retribution, or repercussion; and shall not cause or be subject to detention, arrest, penalty in any manner or denied any right or privilege or suffer any retribution due to the status as a qualifying patient, designated caregiver, a cannabis facility owner or personnel upon passage of this amendment.

§ 5. The regulation of Industrial Hemp.
The General Assembly, Congress, and the Bureau of Cannabis/Marijuana Control, shall adopt regulations
and enact legislation that will foster, implement, and aid in the providing governing to decriminalize cannabis/hemp at the federal, state, and local levels to leave to the States a power to, in working with the Bureau of Cannabis/Marijuana Control, in establishing a comprehensive regulatory structure and system to legalize, control and regulate the activities of cannabis/marijuana/hemp; and for the licensing of the cannabis/hemp facilities for recreational, industrial, commercial, and medical purposes as defined in §4(s)(cc), and for a cannabis/hemp operational facility; permitting local government to regulate such facilities of cannabis/marijuana industrial hemp cannabis plant (genus cannabis), and products derived/produced therefrom, and including comprised of infused cannabis industrial hemp shall be lawful in this state with a valid state license, and may be regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state whether by import or export; and imparting equal pay for equal work, fair wages, training, working conditions, regulations, and safety conditions to all employee(s) and personnel; such regulations are subject to the following conditions and shall include:

(a) Such regulations shall not prohibit the operation of industrial hemp facilities, either expressly or through regulations that make their operation unreasonably impracticable.

(b) The cost of an industrial hemp license to be issued and required by the state to authorize any qualified person who is twenty-one (21) years of age or older for as defined in §4(s), and retail and non-retail operational premises, the cultivation, production, manufacturing, distribution, receiving, harvest, sale, possession, display, transfer, transport, purchase, storing, processing, testing, analyzing, packaging, paraphernalia/accessories, supplying to cannabis/marijuana/hemp facilities, and use, of the cannabis plant (genus cannabis), for recreational, industrial, commercial, and medical purposes, and all products derived/produced therefrom the cannabis plant including the use of the unprocessed cannabis plant shall:

1. Require an application fee of two-thousand five hundred dollars ($2500.00), for 10 acres or less, and four-thousand five hundred dollars ($4500.00), for 10 acres or more, up to 50 acres; and at two-thousand dollars ($2000.00) an acre, for 51 acres or more; refundable fee less three hundred dollars ($300.00) for administrative fees if denied an industrial hemp license.

2. License fee not to exceed one-hundred dollars ($100.00) per year for 10 acres or less of hemp grown; and three-hundred dollars ($300.00) per year for 10 acres or more, up to 50 acres; and six-hundred dollars ($600.00) per year an acre for 51 acres or more of hemp grown for gross receipts under ten-thousand dollars ($10,000);

3. In the event the gross receipts for the hemp grown exceeds ten-thousand dollars ($10,000) the cost of the license is two-hundred and fifty dollars ($250.00) per year for 10 acres or less of hemp grown, and four-hundred and fifty dollars ($450.00) per year for 10 acres or more, up to 50 acres; and eight-hundred dollars ($800.00) per year an acre for 51 acres or more of hemp grown;

4. And without limit to the number of license(s) issued in this state whether by the Department of Revenue, or its successor agency with respect to whether the license(s) is to be issued by the state or is to be required by the state to be issued by some other authority. But only one industrial hemp license per year, per county, per valid lawful operational premises is required; and if for as defined in §4(gg), then only one residential operational premises license is required per year. The licensee shall qualify to obtain such a license, providing that he or she has not had such a license permanently revoked by the state. Each industrial hemp license shall display a license account number, facility/premises name, address, issue date, and expiration date, including licensee photo, name, date of birth, and
The required ‘unique identifiers’, an API, and a RFID tag embedded, implanted or secured in or on an object or product sold containing the electronically stored information that consists of the marijuana hemp facilities/premises name, address, license number, issue date, and expiration date, including licensee photo, name, date of birth, and address; to be adhered to the property, the plants, and products showing the activities that are being processed for tracking identification purposes required by the state for recreational, industrial, commercial, and medical purposes. The software, database or other information technology system utilized to implement the expanded track and trace program shall support interoperability with third-party cannabis business software applications and allow all licensee-facing system activities to be performed through a secure “Application Programming Interface” (API) or comparable technology which is well documented, bi-directional, and accessible to any third-party application that has been validated and has appropriate credentials. The API or comparable technology shall have version control and provide adequate notice of updates to third-party applications. The system should provide a test environment for third-party applications to access that mirrors the production environment. All cannabis facilities, vehicles, and personnel shall have issued as defined in §4(ee) a track and trace unique identifier ‘Security Key Card ID’ for entrance into locked areas of usable cannabis/hemp.

(d) The quantity of cannabis/marijuana/hemp plants cultivated and products derived/produced therefrom, shall not be limited or prohibited for non-retail and or retail use per qualified person(s) with a valid hemp license, and shall be regulated and taxed in like manner as similar products, purpose, and categories, such as any textile, commodity, agricultural, goods and services produced in or out of this state.

(e) The General Assembly shall enact a five (5%) percent excise tax to be levied upon wholesale sales of industrial hemp requiring the first $30 million in revenue raised annually by such tax be credited to the public schools.

§ 6. The Regulation of cannabis/marijuana.
The General Assembly, Congress, and the Bureau of Cannabis/Marijuana Control, shall adopt regulations and enact legislation that will foster, implement, and aid in the providing governing to decriminalize cannabis at the federal, state, and local levels to leave to the States a power to, in working with the Bureau of Cannabis/Marijuana Control, in establishing a comprehensive regulatory structure and system to legalize, control and regulate the activities of cannabis/marijuana/hemp; protecting the health and public safety of consumers and small businesses by imposing strict anti-monopoly restrictions in the cannabis industry; and including, but not limited to, the conflating of the cannabis issues: promoting the economic and ecological vitality growth, eliminating revenue shortfalls with an abundance of revenues, to protect the clean energy natural resource of inexhaustible potentials, allowing for energy independent biomass technology and jobs; providing the citizenry with a future of opportunity by bringing clean energy JOBS to America in the cannabis industry categories of textile, commodity, agricultural, and goods and services; and for the licensing of the cannabis/marijuana facilities/premises for recreational, industrial, commercial, personal, and medical purposes as defined in §4(r)(s)(cc), and for retail and non-retail premises; permitting local government to regulate such facilities of cannabis/marijuana cannabis plant (genus cannabis), and products derived/produced therefrom, and including comprised of infused cannabis shall be lawful in this state with a valid cannabis/marijuana state license, and may be regulated
and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state whether by import or export; and imparting equal pay for equal work, fair wages, training, working conditions, regulations, and safety conditions to all employee(s) and personnel; such regulations are subject to the following conditions and shall include:

(a) Such regulations shall not prohibit the operation of cannabis/marijuana facilities, either expressly or through regulations that make their operation unreasonably impracticable.

(b) In that, including but not limited to, the cultivation, production, manufacturing, distribution, receiving, harvest, sale, possession, display, transfer, transport, purchase, storing, processing, testing, analyzing, packaging, paraphernalia/accessories, supplying to cannabis/marijuana facilities, and use, of the cannabis plant (genus cannabis), for recreational, industrial, commercial, personal, and medical purposes, and all products derived/produced therefrom of the cannabis plant including the use of the unprocessed cannabis plant; shall be prohibited to person(s) under the age of twenty-one (21) years; likewise, medical possession and use shall also be prohibited unless such a person is a medical cannabis/marijuana patient with valid proof of a recommendation/certification/medical cannabis/marijuana ID card, from any state medical cannabis/marijuana program.

(c) A required initial dispensary application fee to be a maximum of five-thousand five-hundred dollars ($5,500.), for estimated gross receipts per year under twenty-thousand dollars ($20,000.); and twelve-thousand dollars ($12,000.), in the event the estimated gross receipts per year exceeds twenty-thousand dollars ($20,000.); refundable fee, less eight-hundred dollars ($800.), for administrative fees if denied a cannabis/marijuana license.

(d) A required initial cultivation facility application fee to be a maximum of twelve-thousand dollars ($12,000.), for estimated gross receipts per year of under forty-thousand dollars ($40,000.); and nineteen-thousand dollars ($19,000.), in the event the estimated gross receipts per year exceeds forty-thousand dollars ($40,000.); refundable fee, less eight-hundred dollars ($800.), for administrative fees if denied a cannabis/marijuana license.

(e) No later than six (6) months after passage of this amendment, the General Assembly, Congress, and the Bureau of Cannabis/Marijuana Control shall foster, implement, and aid in, to begin accepting applications for licenses to operate a cannabis facility, dispensary, and cultivation facility. Licensing of cannabis facilities, shall be licensed through the Bureau of Cannabis/Marijuana Control by the state designated agency under §4(b)(f)(g)(r), and §10(a)(c), of this amendment.

(f) All cannabis facilities locations may not be within ½ mile or 2,640 feet of a school, church, playground, or daycare center prior to the date of application of facility.

(g) The cost and purpose of a retail and or non-retail cannabis/marijuana license or any various taxes on privileges when assessed in the form of a license or fee for a valid lawful operational cannabis/marijuana facility for cannabis and the products produced therefrom, including containing infused cannabis, shall be issued through the Bureau of Cannabis/Marijuana Control by the state to authorize to a person(s) twenty-one (21) years of age or older for as defined in §4(r)(s)(cc), shall:

1. not exceed two-thousand five-hundred dollars ($2,500.) per year for gross receipts under ten-thousand dollars ($10,000.);
2. in the event the gross receipts exceeds ten-thousand dollars ($10,000.) the cost of the license is six-thousand dollars ($6000.) per year; and
3. without limit to the specified license(s) issued in this state whether by the Arkansas
Department of Revenue or its successor agency with respect to whether the license(s) is to be issued by the state or is to be required by the state to be issued by some other authority.

(4) It shall not be limited or prohibited for the number of lawful operational facilities per person; but only one (1) cannabis/marijuana license per year, per county, per each valid lawful operational facility; except that in conjunction with the aforementioned, no qualified person shall own interest in more than; one (1) dispensary facility, or one (1) cultivation facility; and a licensee shall not also be licensed or hold interest in or as a retailer of alcoholic beverages or of tobacco products.

(5) No later than six (6) months after passage of this amendment, the State and the Bureau of Cannabis/Marijuana Control under §4(b)(r), and §10, of this amendment shall foster, implement, and aid in, to begin accepting applications for licenses to operate any cannabis facility; and with licenses issued beginning March 6, 2020.

(h) All cannabis facilities, vehicles, and personnel shall have issued as defined in §4(ee) a track and trace unique identifier ‘Security Key Card ID’ for entrance into locked areas of usable cannabis. A required “Unique Identifier” meaning an alphanumeric code or designation used for reference to a specific plant or product sold on a licensed premises; identified by a required RFID tag embedded, implanted or secured in or on an object containing the electronically stored information that consists of the cannabis/marijuana facilities/premises name, address, license number, issue date, and expiration date, including licensee photo, name, date of birth, and address; to be adhered to the property, the plants, and products showing the activities that are being processed for tracking identification purposes required by the state for all sales purposes.

(1) Records and Inspections of cannabis business facilities shall include:

(a) A licensee shall keep accurate records of all cannabis/marijuana activity on a unique identifier system of the expanded track and trace program that shall include an electronic seed to sale software tracking system with data points for the different stages of commercial activity including, but not limited to, cultivation, harvest, processing, distribution, inventory, and sale, with a secure application programming interface (API) as defined in §4(ee).

(b) All records related to cannabis/marijuana activity as defined by the licensing authorities shall be maintained for a minimum of seven (7) years.

(c) The Bureau may examine the books and records of a licensee and inspect the premises of a licensee as the licensing authority, or a designated state or local agency, deems necessary to perform its duties under this amendment. All inspections shall be conducted during standard business hours of the licensed facility or at any other reasonable time.

(d) Licensees shall keep records identified by the licensing authorities on the premises of the location licensed. The licensing authorities may make any examination of the records of any licensee. Licensees shall also provide and deliver copies of documents to the licensing agency upon requests.

(e) A licensee, or its agent or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the licensee pursuant to this amendment, has engaged in a violation of this amendment.

(f) If a licensee, or an agent or employee of a licensee, fails to maintain or provide the records required pursuant to this amendment, the licensee shall be subject to a citation and a fine of up to thirty thousand dollars ($30,000.) per individual violation.

(2) Sales invoice and or receipts of cannabis business facilities shall include:
(a) Every sale or transport of cannabis/marijuana or products produced therefrom, from one licensee to another licensee must be recorded on a sales invoice or receipt. Sales invoices and receipts may be maintained electronically and must be filed in such a manner as to be readily accessible for examination by employees of the Bureau of Cannabis/Marijuana Control or designated agency, and shall not be amalgamated with invoices covering other textiles, commodities, agricultural, goods and services.

(b) Each sales invoice required by the aforementioned and hereafter, shall include the name and address of the seller and shall include the following information:

1. Name and address of the purchaser.
2. Date of sale and invoice number.
4. The cost to the purchaser, together with any discount applied to the price as shown on the invoice.
5. The place from which transport of the cannabis/marijuana or cannabis products produced therefrom was made unless transport was made from the premises of the licensee.
6. Any other pertinent information specified by the Bureau or the licensing authority.

(3) Annual Reports and Performance Audit

(a) Beginning on March 1, 2022, and on or before March 1st of each year thereafter, each licensing authority shall prepare and submit to the Legislature and Bureau an annual report on the authority's activities concerning commercial cannabis activities and post the report on the authority's website. The report shall include, but not limited to, the same type of information specified in similar reports with similar business, and a detailed list of petitions for regulatory relief or rulemaking changes for resolve received by the office from licensees requesting modifications of the enforcement of rules under this amendment.

(b) Commencing January 1, 2021, and by January 1st of each year thereafter, the Bureau of State Audits shall conduct a performance audit of the Bureau of Cannabis/Marijuana Control's activities under this amendment, and shall report its findings to the Bureau of State Audits, Bureau of Cannabis/Marijuana Control, and the Legislature by July 1st of that same year. The report shall include, but not be limited to, the following:

1. The annual costs of the program.
2. The overall effectiveness of enforcement programs.
3. Any report submitted pursuant to this section shall be submitted in compliance with the Arkansas Government and Business Code.

(b) The Legislature shall provide sufficient funds to the Bureau of State Audits to conduct the annual audit required by this section.

(b) Each licensing authority shall establish a scale of application, licensing, and renewal fees, based upon the cost of enforcing this section, as follows:

(a) Each licensing authority shall charge each licensee a licensure and renewal fees, as applicable. The licensure and renewal fee shall be calculated to cover the costs of administering this section. The licensure fee may vary depending upon the varying costs associated with
administering the various regulatory requirements of this section as they relate to the nature and scope of the different licensure activities, including, but not limited to, the track and trace program required pursuant to this amendment, but shall not exceed the reasonable regulatory costs to the licensing authority.

(1) The total fees assessed pursuant to this section shall be set at an amount that will fairly and proportionately generate sufficient total revenue to fully cover the total costs of administering this section.

(2) All license fees shall be set on a scaled basis by the licensing authority, dependent on the size of the business.

(3) The licensing authority shall deposit all fees collected in a fee account specific to that licensing authority, to be established in the Bureau of Cannabis/Marijuana Control Fund. Moneys in the licensing authority fee accounts shall be used, upon appropriation by the designated licensing authority for the administration of this section.

(i) The quantity, quality, and size, of the cannabis/marijuana plants cultivated and products derived/produced therefrom, shall not be limited or prohibited for recreational, industrial, commercial, medical, and non-retail and or retail use per qualified person(s) with a valid cannabis license, and shall be regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state.

(j) The quantity, quality, and size, of the cannabis/marijuana plants cultivated, and products derived/produced therefrom, shall not be limited or prohibited for the recreational personal use, per qualified person(s) twenty-one (21) years of age or older with valid ID, when purchased from a retail, and or a non-retail cannabis facility with a valid cannabis license, and shall be regulated and taxed in like manner as similar products, purpose, and categories such as any other textile, commodity, agricultural, goods and services produced in or out of this state.

(k) Cannabis/marijuana plants shall be cultivated in a location where the plants are not subject to public access.

(l) For the personal, recreational, and home cultivation use of cannabis/marijuana/hemp there is no required license or cost for the resident within their private domestic domain and property.

(m) The quantity, quality, size, and products derived/produced therefrom the cannabis/marijuana plants shall not be limited or prohibited, and are not subject to public access, for the resident within their private domestic domain and property.

(n) And at any time a person while undertaking any task under the influence of cannabis senses when doing so would impede his or her ability, and to continue, the task would be hindered, and when reported shall not be subject to any disciplinary action, detainment, arrest, penalty in any manner or denied any right or privilege or suffer any retribution from any agency, business, or entity for the medical use of cannabis in accordance with this amendment, instead shall be given an alternative place to rest until the medication levels out and he or she can return to the task; and shall be legal whether in or out of the state of Arkansas; and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws.

(o) In addition to the sales tax imposed by both the local and state upon the sale of any cannabis and cannabis products produced therefrom, including cannabis/marijuana infused products, and goods and services the state shall impose an excise tax of five percent (5%).

(p) Such excise tax shall be levied upon cannabis/marijuana intended for sale at medical
cannabis/marijuana centers pursuant to §3(a)(5), § 8(e), and §10(r) of this amendment; medical cannabis/marijuana sold in this state shall not be tax exempt.

(q) That current cannabis/marijuana laws to adhere, foster, implement, aid, and give support to this amendment, to abrogate, propose a law, whether by revision or deletion.

(r) The General Assembly shall pass such laws as will foster and aid the agricultural, manufacturing, industrial, commercial, recreational, medical, and personal use, and regulation of cannabis/marijuana interests of this state, pursuant to the passing of this amendment.

(s) The General Assembly may, by general law, exempt from taxation for a term of seven (7) years from the ratification of this Arkansas Constitution, the capital invested in any or all kinds of cannabis industry retail, non-retail, commercial, industrial, and manufacturing business in this State, under such regulations and restrictions as may be prescribed by law.

(t) To decriminalize and end the federal, state, and local levels of failed drug policy on the prohibition on cannabis/marijuana/hemp, of which federal laws hold precedence over state laws; therefore, bringing the intention issue of the otherwise continued federal raids to an end; and removing cannabis/marijuana/hemp from the list of controlled substances where applicable, making it legal at the federal, state, and local levels upon passage of this amendment, due to Cannabis' Schedule I listing is disingenuous given the fact that the federal government cannot produce any research or evidence justifying its classification.

(u) To amend Title 28, of the U.S. Code, to prohibit funding for the purposes of the cannabis/marijuana suppression/eradication program of the use of, the restriction on use of, and or the authority to transfer property for the use of, including but not limited to, amounts from the Asset Forfeiture Fund for the Domestic Cannabis Suppression/Eradication Program of the Drug Enforcement Administration, to federal, state, and or local agencies, and for other substantially similar programs or purposes.

(v) To amend the federal, state and local codes and laws to prohibit funding for the purposes of the cannabis/marijuana suppression/eradication program of the use of, the restriction on use of, and or the authority to transfer property for the use of, amounts from the including but not limited to, the U.S. Department of Justice system's Equitable Sharing Program, the Comprehensive Crime Control Act, and for other substantially similar programs or purposes.

(w) To amend title 18, of the U.S. Code, where applicable that no authority to transfer property for purposes of the domestic cannabis suppression/eradication program, notwithstanding §981(e) of title 18, United States Code, no property may be transferred to a federal, state and or local agency, if that property is used for any purposes pertaining to the domestic cannabis suppression/eradication program of the Drug Enforcement Administration, or any substantially similar program.

(x) No federal, state, local, or law enforcement agency shall have the right to confiscate or seize property or apply the Comprehensive Crime Control Act or the Equitable Sharing Program regarding civil forfeiture in cannabis/marijuana assets including but not limited to, cars, cash, valuables, real estate, and other property permanently taken on suspicion of involvement with crime or illegal activity in cannabis/marijuana upon passage of this amendment.

(y) No funds made available to the Department of Veterans Affairs may be used to prohibit, limit, or interfere with: the ability of a veteran to participate in a medical cannabis/marijuana State approved program; or be denied any services from the Department to a veteran who is participating in
such a program; or prohibit, limit, or interfere with the ability of a health care provider of the
Department to make appropriate recommendations, fill out forms, or take steps to comply with such a
program upon passage of this amendment.

(2) For Congress to foster, implement, and aid in the deregulation and removal of
cannabis/marijuana where applicable from, and amending schedule under subsection (c) of Schedule I of
§202(c) of the Controlled Substance Act (21 U.S.C. 812(c)), and from the Schedule of Controlled
Substances Act (21 U.S.C. 801 et seq.), the Attorney General shall, no later than 60 days after the date of
passage of this amendment, issue a final order that removes cannabis/marijuana in any form where
applicable from and amending schedule under §202(c) of (21 U.S.C. 812(c)); in amending Title 21,
chapter 13 of the U.S. Code, (21 U.S.C. 801), and where applicable to “Notwithstanding any other
provision of law, the provisions of this subchapter related to cannabis/marijuana shall not apply to any
person acting in compliance with local, state and federal laws relating to the production, possession,
distribution, dispensation, administration, or delivery of cannabis/marijuana/hemp.” And including the
federal, state, and local codes and laws including but not limited to, the Uniform Controlled Substances
Act, Arkansas Controlled Substances Law, Medical Marijuana Commission, The Arkansas Administration
Procedures Act, and The Alcoholic Beverage Control Division; to prohibit the incarceration of person(s)
for cannabis/marijuana (genus cannabis) as defined for the purposes of this amendment means for as
defined in §4(s); and a drug that requires permission from a physician/doctor to prescribe for the use for
the treatment of a disease, illness, or injury; and for the recreational, and personal use as an intoxicant;
a substance (as a drug) whose use and possession is regulated by law in the aforementioned statute and
or any rule adopted hereafter, the term “controlled substance” shall not include
cannabis/marijuana/hemp; ending the federal prohibition on cannabis/marijuana/hemp. And including
the removal from the Schedule of Controlled Substances (subsection 1 of §202(c)) of the Controlled
Substances Act (21 U.S.C. 812(c)) and where applicable the terms and striking
“cannabis/marijuana/hemp” and “tetrahydrocannabinols”; including the removal of prohibition on
shipping, transportation, import, and export (§1010(b)) of the Controlled Substances Import and Export
Act (21 U.S.C. 960), and all areas where applicable of cannabis/marijuana/hemp; and preventing
unreasonable depletion of a natural agriculture heritage and eradication of a valuable and natural
resource; (i.e. genus Cannabis/Marijuana is a natural resource); and shall be legal in the state of
Arkansas and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local,
state, federal, and Arkansas laws: upon passage of this amendment.

(aa) For Congress to foster, implement, and aid in the permitting of cannabis/marijuana
businesses to access traditional banking services and for legislation to provide certainty for financial
institutions and the licensed cannabis/marijuana related businesses to operate in like manner as any
other businesses that are legal under state law, ending the cash-only basis, which makes them targets for
robberies; and to prevent the Department of Justice, or Treasury Department from spending funds to
prohibit or penalize financial institutions that provide services to state-legal cannabis/marijuana
businesses, and or entity solely because the entity is a manufacturer, producer, or person that
participates in any business or organized activity that involved handling cannabis/marijuana or
cannabis/marijuana products and engages in such activity pursuant to a law established by a State or a
unit of local government; and that no funds made available to the Department of Justice or Department
of Treasury may be used to modify or revoke the guidance issued by the Financial Crimes Enforcement
Network titled “BSA Expectations Regarding Cannabis/Marijuana-Related Businesses” (FIN-2014-G001;

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published on February 14, 2014); ending the Federal Cannabis/Marijuana Prohibition War. To protect the State cannabis industry full legalization, including but not limited to, recreational, industrial, commercial, personal, and medical purposes; and all products derived/produced therefrom the cannabis plant, cannabidiol, cannabidiol oil, and industrial hemp laws, that: no funds made available to the Department of Justice may be used, with respect to any of the United States approved ‘States’ to prevent any such State or jurisdiction from implementing their own laws that authorize the use, distribution, possession, cultivation, or manufacture of cannabis/marijuana, cannabidiol, cannabidiol oil, medical cannabis/marijuana purposes, or of industrial hemp, as defined in §7606 of the Agricultural Act of 2014 (Public Law 113-79) on non-Federal lands within their respective jurisdictions. And that no funds made available to the Department of Justice may be used to pay the salaries or expenses or personnel to fail to act on any application by an entity, agency, or department regarding cannabis/marijuana for research or business purposes; or to prevent or delay the approval of an application for a cannabis/marijuana business; and that cannabis/marijuana shall be legal in the state of Arkansas and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws; and the Legislature may by majority vote amend the provisions of this Amendment that will foster, implement, and aid, provided that such amendments are consistent with and further the purpose and intent of this Amendment; and providing regarding this Amendment that no legislators can remove the law because it is an amendment to the Arkansas Constitution, and can only be done so by the voters as defined in this section, §6(aa), upon passage of this amendment. Amendments to this Amendment that enact protections for employees and other workers of licensees under §4(i), of this Amendment that are in addition to the protections provided for in this Amendment or that otherwise expand the legal rights of such employees or workers of licensees under §4(i), of this Amendment shall be deemed to be consistent with and further the purposes and intent of this Amendment. The Legislature may by majority vote amend, add, or repeal any provisions to further reduce the penalties for any of the offenses addressed by this amendment. Except as otherwise provided, the provisions of the Amendment may be amended by two-thirds (2/3) vote of the Legislature to further the purpose and intent of this Amendment.

(bb) And including to amend the Preamble, Article 2, and Article 10, of the Arkansas Constitution, to include: The PREAMBLE to read as: We, the People of the State of Arkansas, grateful to Almighty God for the privilege of choosing our own form of government; for our civil and religious liberty; to improve the quality of life and opportunity, and to secure blessings of liberty; and desiring to perpetuate its blessings, and for the safety and health of the people, in decreasing the stressors of life naturally; for this and future generations, and secure the same to ourselves and posterity; do ordain and establish this Constitution. ARTICLE 2 Declaration of Rights §30 Environment and Natural Resources Protection; and ARTICLE 10 Agriculture, Mining, and Manufacture §4 Natural Resource Cannabis Protection; each article is amended BY THE ADDITION OF A NEW SECTION to read: Environment and natural resources protection is the right of the people of this State to be secure in the protection and improvement to prevent unreasonable depletion of a natural agriculture heritage and eradication of a valuable and clean energy natural resource; (i.e. genus Cannabis-Marijuana is a natural resource); of which has numerous and inexhaustible uses; with the production of the drought resistant, self-fertilizing, and pest-resistant plant allowing for energy independent biomass technology and jobs we could meet our energy needs, making America energy independent; while allowing our trees to replenish and sharing cleaning up the carbon-dioxide from the atmosphere improving our quality of life;
with no forced settlement funds set aside because there is no recorded history of human sickness or disease developed therefrom. Notwithstanding, the federal law shall be abrogated; and cannabis/marijuana/hemp shall be legal in Arkansas for commercial, industrial, personal, recreational, and medical uses; and shall not be an offense or illegal under Arkansas law, or be a basis for seizure or forfeiture of assets under Arkansas law: any laws that conflict with these rights are repealed upon passage of this amendment.

(1) Argument: regarding Departments and Institutions

(a) Arkansas and other combined States’ tobacco settlement fund annually...for disease and prevention programs of national costs equal $300 Billion.

(b) Annual U.S. deaths from tobacco 480,000; from poor diet and inactivity 400,000; from alcohol 88,000; from microbial agents 75,000; from toxic agents 55,000; from overdose adverse reactions to prescription drugs 47,055; and from cannabis/marijuana zero (0).

(cc) The General Assembly shall enact an excise tax to be levied upon wholesale sales of cannabis/marijuana/hemp sold or otherwise transferred by a cannabis/marijuana/hemp cultivation facility to a cannabis/marijuana/hemp product manufacturing facility or to a retail or non-retail cannabis/marijuana/hemp business at a rate of five (5%) percent and not to exceed ten (10%) percent prior to January 1, 2030, and at a rate to be determined by the General Assembly thereafter, and shall direct the Bureau to establish procedures for the collection of all taxes levied. Provided, the first thirty million ($30 million) dollars in revenue raised annually from such excise tax shall be credited to the Public School Capital Construction Assistance General Revenue Fund created, or any successor fund dedicated to a similar purpose upon passage of this amendment.

(dd) For Congress, the General Assembly, and the State of Arkansas to foster, implement, and aid in the amending of the Controlled Substances Act to provide for a new rule regarding the application of the Amendment to cannabis/marihuana/hemp, and for other purposes.

(1) Be it enacted by the people of the state of Arkansas further find and declare that this Amendment cited as the “Natural Resource Cannabis Amendment” provides for:

(2) De-scheduling cannabis/marijuana to be removed from the Schedule of Controlled Substances.—Subsection (c) of schedule I of §202(c) of the Controlled Substances Act (21 U.S.C. 812) is amended—

(a) by striking “marihuana”; and by striking “tetrahydrocannabinols”.

(3) Removal of Prohibition on Import and Export.— §1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960) is amended—

(a) in paragraph (1)— in subparagraph (F), by inserting “or” after the semicolon;

(b) by striking subparagraph (G); and by redesignating subparagraph (H) as subparagraph (G);

(c) in paragraph (2)— in subparagraph (F), by inserting “or” after the semicolon;

(d) by striking subparagraph (G); and by redesignating subparagraph (H) as subparagraph (G);

(e) in paragraph (3), by striking “paragraphs (1), (2), and (4)” and inserting “paragraphs (1) and (2)”;

(f) by striking paragraph (4); and (5) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively.

(4) Conforming amendments to Controlled Substances Act.—The Controlled Substances Act
(21 U.S.C. 801 et seq.) is amended—

(a) in §102(44) (21 U.S.C. 802(44)), by striking “marihuana,”;

(b) in §401(b) (21 U.S.C. 841(b)— in paragraph (1)— (i) in subparagraph (A)— (I) in clause (vi), by inserting “or” after the semicolon; (II) by striking (vii); and (III) by redesigning clause (viii) as clause (vii);

(c) (iii) in subparagraph (B)— (I) by striking clause (vii); and (II) by redesigning clause (viii) as clause (vii); (iii) in subparagraph (C), in the first sentence, by striking “subparagraphs (A), (B), and (D)” and inserting “subparagraphs (A) and (B)”;

(d) by striking paragraph (4); and (C) by redesigning paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively;

(e) in §402(c)(2)(B) (21 U.S.C. 842(c)(2)(B)), by striking “marihuana,”;

(f) in §403(d)(1) (21 U.S.C. 843(d)(1)), by striking “marihuana,”;

(g) in §418(a) (21 U.S.C. 859(a)), by striking the last sentence;

(h) in §419(a) (21 U.S.C. 860(a)), by striking the last sentence;

(i) in §422(d) (21 U.S.C. 863(d))— in the matter preceding paragraph (1), by striking “marijuana,”; and in paragraph (5), by striking “such as a marihuana cigarette,”; and

(j) in §516(d) (21 U.S.C. 886(d)), by striking “§401(b)(6)” where applicable the term appears and inserting “§401(b)(5)”.


(a) in §15002(a) (16 U.S.C. 559b(a)) by striking “marijuana and other”;

(b) in §15003(2) (16 U.S.C. 559c(2)) by striking “marijuana and other”;

(c) in §15004(2) (16 U.S.C. 559d(2)) by striking “marijuana and other”.

(6) Interception of Communications.— §2516 of title 18, United States Code, is amended —

(a) in subsection (1)(e), by striking “marihuana,”; and

(b) in subsection (2) by striking “marihuana,”.

(7) Ineligibility for Certain Funds.

(a) DEFINITIONS.—In this section—

(1) the term “covered State” means a State that has not enacted a statute legalizing marijuana in the State;

(2) the term “disproportionate arrest rate” means—

(a) the percentage of minority individuals arrested for a marijuana related offense in a State is higher than the percentage of the nonminority individual population of the State, as determined by the most recent census data; or

(b) the percentage of low-income individuals arrested for a marijuana offense in a State is higher than the percentage of the population of the State that are not low-income individuals, as determined by the most recent census data;

(3) the term “disproportionate incarceration rate” means the percentage of minority individuals incarcerated for a marijuana related offense in a State is higher than the percentage of the non-minority individual population of the State, as determined by the most recent census data;

(4) the term “low-income individual” means and individual whose taxable income
income (as defined in section 63 of the Internal Revenue Code of 1986) is equal to or below the maximum dollar amount for the 15 percent rate bracket applicable to the individual under section 1 of the Internal Revenue Code of 1986;

(5) the term "marijuana" has the meaning given the term "marihuana" in §102 of the Controlled Substances Act (21 U.S.C. 802); and

(6) the term "minority individual" means an individual who is a member of a racial or ethnic minority group.

(b) Ineligibility for certain funds.—

(1) In General.—For any fiscal year beginning after the date of enactment of this Amendment in which the Attorney General, acting through the Director of the Bureau of Justice Assistance, determines that a covered State has a disproportionate arrest rate or a disproportionate incarceration rate for marijuana offenses, the covered State—

(a) shall not be eligible to receive any Federal funds for the construction or staffing of a prison or jail; and

(b) shall be subject to not more than a ten (10%) percent reduction of the funds that would otherwise be allocated for that fiscal year to the covered State under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), whether characterized including but not limited to as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(2) Funds for Certain Programming.—For purposes of §6(dd)(7)(b)(1)(a), Federal funds for the construction or staffing of a prison or jail shall not include Federal funds used by a prison or jail to carry out recidivism reduction programming or drug addiction treatment.

(3) Reallocation.—Any amounts not awarded to a covered State because of a determination under §6(dd)(7)(b)(1) shall be deposited in the Community Reinvestment Fund established under §6(dd)(8)(a-e).

(c) Expungement of Cannabis/Marijuana Offense Convictions.—Each Federal court shall issue an order expunging each conviction for a marijuana use or possession offense entered by the court prior to, during, and or after the effective date of this amendment as defined in §12.

(d) Sentencing Review.—

(1) In General.—For any individual who was sentenced to a term of imprisonment for a Federal criminal offense involving marijuana before the date of enactment of this Amendment and is still serving such term of imprisonment, the court that imposed the sentence, shall, on motion of the individual, the Director of the Bureau of Prisons, the attorney for the Government, or the court, conduct a sentencing hearing.

(2) Potential Reduced Resentencing.—After a sentencing hearing under paragraph (1), a court may impose a sentence on the individual as if this Amendment, and the amendments made by this Amendment, were in effect at the time the offense was committed.

(e) Right of Action.—

(1) In General.—An individual who is aggrieved by a disproportionate arrest rate or a disproportionate incarceration rate of a State may bring a civil action in an appropriate district court of the United States

(2) Relief.—In a civil action brought under this subsection in which the plaintiff 31
prevails, the court shall—

(a) grant all necessary equitable and legal relief, including declaratory relief; and

(b) issue an order requiring the Attorney General, acting through the Director of the Bureau of Justice Assistance, to— (i) declare the State to be ineligible to receive any Federal funds for the construction or staffing of a prison or jail in accordance with subsection (b)(1)(a); and (ii) reduce grant funding of the State in accordance with subsection (b)(1)(b).


(a) Establishment.—There is established in the Treasury of the United States a fund, to be known as the “Community Reinvestment Fund” (referred to in this section as the “Fund”).

(b) Deposits.—The Fund shall consist of— (1) any amounts not awarded to a covered State because of a determination under §6(dd)(7)(b)(1); and (2) any amounts otherwise appropriated to the Fund.

(c) Use of Fund Amounts.—Amounts in the Fund shall be available to the Secretary of Housing and Urban Development to establish a grant program to reinvest in communities most affected by the war on drugs, which shall include providing grants to impacted communities for programs such as:

(1) job training; reentry services; expenses related to the expungement of convictions; public libraries; community centers; programs and opportunities dedicated to youth; the special purpose fund discussed below; and health education programs.

(d) Availability of Fund Amounts.—Amounts in the Fund shall be available without fiscal year limitation.

(e) Authorization of Appropriations.—There are authorized to be appropriated to the Fund $300,000,000 for each of fiscal years 2020 through 2030.

§ 7. Cannabis/Marijuana Control Board.

No later than six (6) months, the Legislature may create a Cannabis/Marijuana Control Board in the Department of Commerce, Community, and Economic Development or its successor agency to assume the power, duties, and responsibilities delegated to the Alcoholic Beverage Control Board under and upon passage of this amendment.

§ 8. Medical cannabis/marijuana.

Within six (6) months upon passage and after the effective date of this amendment, the State shall foster, aid, implement, and adopt as defined in §4(b)(e) and §7, a Cannabis/Marijuana Control Board, in conjunction with as defined in §4(b) Bureau of Cannabis/Marijuana Control, for a cannabis industry and a medical cannabis/marijuana program in this state to ensure that all person(s) including those under the age of twenty-one (21) years who are suffering from as defined in §4(dd) valid qualifying medical conditions of an illness, injury, or disease may have safe and affordable access to cannabis/marijuana for medical purposes. Notwithstanding any other provision of law, the following acts regarding the use of medical cannabis/marijuana are lawful and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws:

(a) Any parent or guardian listed as the designated caregiver may provide medical cannabis/marijuana to their minor child providing that they have valid proof of their child’s participation
in any state medical cannabis/marijuana program, or have a valid written recommendation/certification from any physician, a licensed medical doctor whether licensed in or out of this state authorizing the child’s use.

(b) Any physician, a licensed medical doctor who is licensed in this state may authorize the use of medical cannabis/marijuana to a patient by written recommendation/certification for the purpose of treating an illness, injury, or disease. A physician shall not be subject to detention, arrest, or penalty in any manner or denied any right, privilege, license, or suffer any retribution from any person, agency, business, or entity for providing a written certification applicable to the physician-patient relationship and care for medical cannabis/marijuana upon passage of this amendment.

(c) Person(s) eighteen (18) years of age or older may purchase medical cannabis/marijuana providing that they have valid proof of their participation in any state medical cannabis/marijuana program or have a valid written recommendation/certification from any physician, a licensed medical doctor in this state. This shall also include any adult designated caregiver by the written recommendation/certification to purchase on behalf of a patient that is mentally challenged and or impaired validated by a physician, a licensed medical doctor.

(d) Any patient with valid proof of their participation in any state medical cannabis/marijuana program or have a valid written recommendation/certification from any physician, a licensed medical doctor, including in this state, may possess and use medical cannabis/marijuana.

(e) There shall be local, state, federal, or special taxes imposed on medical cannabis/marijuana, it shall not be tax exempt.

(f) All in or out of state confirmed valid medical cannabis/marijuana ID cards are valid at any cannabis/marijuana dispensary within the state of Arkansas.

§ 9. Failure to adopt amendment for cannabis industry licenses

(a) If the Department of Public Health, Bureau of Cannabis/Marijuana Control, housed in the Department of Consumer Affairs, or Alcoholic Beverage Control Board fails to adopt, foster, aid, and implement this amendment within the time prescribed or fails to issue cannabis industry licenses, or impedes an individual(s) freedom, health and public safety by doing so, any qualified person(s) under this amendment may commence a mandamus action in Pulaski County Circuit Court to compel the department, bureau, or board to perform the actions mandated under the provisions of this amendment.

(b) No later than six (6) months after passage of this amendment, the General Assembly, and State shall adopt this amendment as defined in §4(b)(e)(cc), §7, and §10(c), a Cannabis/Marijuana Control Board, in collaboration and synonymously with as defined in §4(b) through the Bureau of Cannabis/Marijuana Control, to designated agencies, to foster, aid, and implement, for a cannabis industry and a medical cannabis/marijuana program in this state to ensure that all person(s) individual freedom, health and public safety is secured by doing so; and if failed to do so, then §9(a) applies to any qualified person(s) under this amendment.

§ 10. Bureau of Cannabis/Marijuana Control—Established

(a) There is established within thirty (30) days after passage of this amendment by the Legislature under §4(b), a Bureau of Cannabis/Marijuana Control, housed within the Department of Consumer Affairs, that shall establish, administer, regulate, and create an opportunity for a
comprehensive Regulatory structure in which every cannabis/marijuana industry business is overseen by a specialized agency with relevant expertise; and will oversee the whole system and ensure a smooth transition to the legal market; and within (120) days after the effective date of this amendment, the Bureau shall adopt rules establishing license application, license renewal fees, and issuance of temporary licenses, for a cannabis business facility; with license applications beginning no later than six (6) months after the passage of this amendment; and with licenses issued beginning on March 6, 2020.

1. A license issued pursuant to this section shall be valid for 12 months from the date of issuance. The license may be renewed annually.
2. Each licensing authority shall establish procedures for the issuance and renewal of licenses.
3. A licensing authority may issue a temporary license for a period of less than 12 months.

(b) The Department of Consumer Affairs will also license and oversee cannabis retailers, distributors, and microbusinesses.

(c) No later than six (6) months after passage of this amendment, the Legislature in collaboration and synonymously with as defined in §4(b) through the Bureau of Cannabis/Marijuana Control, to designated agencies, to foster, aid, and implement, for a cannabis industry and a medical cannabis/marijuana program in this state; and shall create and establish a Cannabis/Marijuana Control Board within the Department of Commerce, Community, and Economic Development or its successor agency to assume the power, duties, and responsibilities delegated to the Alcoholic Beverage Control Board to ensure that all person(s) individual freedom, health and public safety is secured by doing so.

(d) The Bureau of Cannabis/Marijuana Control, which shall consist of five (5) members to serve a term of four (4) years, as follows:
   1. Two (2) members appointed by the President Pro Tempore of the Senate, with one (1) member to serve (2) years by draw of lots; and
   2. Two (2) members appointed by the Speaker of the House of Representatives, with one (1) member to serve (2) years by draw of lots; and
   3. One (1) member appointed by the Governor;
   4. The Bureau shall select one (1) of its members as chair; an affirmative vote of a majority of a quorum present shall be necessary to transact business;

(e) All cannabis/marijuana taxation the Bureau of Cannabis/Marijuana Control or designated agency shall administer and collect the taxes imposed.

(f) The Bureau may prescribe, adopt, and enforce regulations relating to the administration and enforcement, including, but not limited to, collections, reporting, refunds, and appeals.

(g) The Bureau shall adopt necessary rules and regulations to administer the taxes including methods or procedures to tag cannabis or cannabis products produced therefrom, or the packages thereof, to designate prior tax payment.

(h) The Bureau may prescribe, adopt, and enforce any emergency regulations as necessary to implement, administer, and enforce its duties under this amendment; the adoption of the regulation is an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health and safety, and general welfare.

(i) Any person who fails to pay the taxes imposed under this amendment shall, in addition to owing the taxes not paid, be subject to a penalty of at least one-half the amount of the taxes not paid.

(j) The Bureau may bring such legal actions as are necessary to collect any deficiency in the tax required to be paid, and, upon the Bureau’s request, the Attorney General shall bring the actions.
(k) The Department of Food and Agriculture will license and oversee cannabis/marijuana cultivation, and dispensaries ensuring environmental safety.

(l) The Department of Public Health will license and oversee manufacturing and testing, ensuring consumers receive a safe and labeled product.

(m) The State Board of Equalization will collect the cannabis/marijuana taxes, and

(n) The Controller will allocate the revenue to administer the new law and provide the funds to critical investments.

(o) The Marijuana Control Appeals Panel which shall consist of three (3) members and each to serve for a term of (4) years, appointed by the Governor and subject to confirmation by a majority vote of all the members elected to the Senate;

1. and shall be a resident of a different county from the one in which either of the other members resides; panel members shall receive an annual salary.

2. The panel shall adopt procedures used in the Arkansas Business and Professions Code; and in accordance with the Arkansas Administrative Procedure Act.

3. The Panel, Bureau, and the Cannabis/Marijuana Control Board members may be removed from office by the Governor, and the Legislature shall have the power, by a majority vote of all members elected to each house, to remove any member from office for dereliction of duty, corruption or incompetency.

4. Or a concurrent resolution for the removal of any member of the panels may be introduced in the Legislature only if five (5) Members of the Senate, or ten (10) Members of the Assembly, join as authors.

(p) No later than six (6) months after passage of this amendment, the General Assembly, Congress, and the Bureau of Cannabis/Marijuana Control shall foster, implement, and aid in, to begin accepting applications for licenses to operate a cannabis facility.

(q) Providing that the Bureau shall devise protocols that each licensing authority shall implement to ensure compliance with state laws and regulations related to environmental impacts, natural resource protection, water quality, water supply, hazardous materials, and pesticide use in accordance with regulations, including but not limited to, the Environmental Quality Act, the Endangered Species Act, lake or streambed alteration agreements, the Clean Water Act, the timber protection zones, wastewater discharge requirements, and any permit or right necessary to divert water; with licenses issued beginning on March 6, 2020.

(r) An excise tax shall be levied upon medical cannabis/marijuana intended for sale pursuant to §3(a)(5), and §8(e), of this amendment; there shall be local, state, federal, or special taxes imposed on medical cannabis/marijuana; medical cannabis/marijuana sold in this state shall not be tax exempt upon passage of this amendment.

§ 11. Taxation and distribution of proceeds from revenues of cannabis/marijuana/hemp.

(a) The sale of cannabis/marijuana/hemp are subject to all state and local sales taxes at the same rate as other goods and services of similar products, purpose, and categories; such as any other textile, commodity, agricultural, goods and services that are produced in or out of this state whether by special taxes, excise duty on inland/import, or customs duties on border/export; including revenues generated from fees, penalties, and other assessments of the cannabis industry entities under this amendment, including, but not limited to, and without limitation dispensary and cultivation facility
application, licensing, and renewal fees; private donations, and other appropriations by the General Assembly when such funds are available.

(b) The General Assembly shall enact an excise tax to be levied upon wholesale sales of cannabis/marijuana/hemp which includes infused with cannabis, at a rate of five (5%) percent and not to exceed ten (10%) percent; prior to January 1, 2030, and at a rate to be determined by the General Assembly thereafter; and shall direct the Bureau to establish and promulgate procedures for the collection of all taxes levied requiring the first $30 million in revenue raised annually by such tax be credited to the Arkansas Department of Education Public Schools Capital Construction Assistance General Revenue Fund created or its successor;

(c) The tax revenues, received by the Department of Finance and Administration from the state sales taxes of cannabis/marijuana/hemp and products produced therefrom, and cannabis infused goods and services, special taxes, excise duty on inland/import, and custom duties on border/export, including an additional (5%) excise tax; and levied upon wholesale sales of cannabis/marijuana/hemp an excise tax of five (5%) which the first $30 million in revenue raised annually by such tax be credited to the public schools; and under this amendment providing that the various tax revenues collected on cannabis is subject to the aforementioned taxes, and including revenues generated from fees, penalties, and other assessments of the cannabis industry entities under this amendment, including, but not limited to, and without limitation dispensary and cultivation facility application, licensing, and renewal fees; private donations, and other appropriations by the General Assembly when such funds are available; shall be distributed as follows, and at a future rate to be determined by Retinue thereafter:

1. Ten percent (10%) to the Bureau of Cannabis/Marijuana Control General Revenue Fund or its successor;
2. Five percent (5%) to the Cannabis/Marijuana Control Board General Revenue Fund or its successor;
3. Twenty percent (20%) to the Arkansas Department of Education Public Schools General Revenue Fund or its successor;
4. Ten percent (10%) to the Arkansas Department of Human Services Parks and Tourism Department General Revenue Fund or its successor;
5. Ten percent (10%) to the Arkansas Department of Human Services Aging and Adult Services General Revenue Fund or its successor;
6. Twenty percent (20%) to the Retinue Consortium Corporation General Revenue Fund or its successor;
7. Fifteen percent (15%) to the Arkansas Agriculture Department General Revenue Fund or its successor;
8. Ten percent (10%) to the Arkansas Highway and Transportation Department General Revenue Fund or its successor;
9. and to the Community Reinvestment Fund §6(dd)(7)(b)(3)(8)(a-e) $300,000,000 without fiscal year limitations.

(d) There shall be local, state, federal, or special taxes imposed on medical cannabis and it shall not be tax exempt.

Due to the fact that Cannabis’ Schedule I listing is disingenuous given the fact that the federal
government cannot produce any research or evidence justifying its classification -- The state shall exonerate, discharge and dismiss all person(s) serving incarceration, probation, parole, and or pending conviction(s) in this state whose conviction(s) and or charge(s) including driving while under the influence of cannabis/marijuana a controlled substance were non-violent due to use or possession offense crimes against state laws regarding the as defined in §4(s), whose crime(s) and or violation(s) occurred prior to, as defined in §6(dd)(7)(c), during, and or after the effective date of this amendment; this shall also include such person(s) incarcerated for non-violent crime(s) and or violation(s) violating the terms of their parole or probation, supervised or not, by possessing and or using cannabis/marijuana while on parole or probation, it shall not include those persons if their initial charge or conviction was not pertaining to the aforementioned cannabis/marijuana related crimes, violations, or offenses. Within six (6) months after the effective date of this amendment, the State shall make available an application process for which all persons in this state with such cannabis/marijuana conviction(s) on their records, whose non-violent crimes and or violations occurred prior to, during, and or after the effective date of this amendment, may apply to have such conviction(s) of crime(s) expunged, and or violation(s) dismissed from their records at no cost to them.

§ 13. Employers, driving, minors, and control of property.
   (a) Nothing in this amendment proposes or intends to require an employer's policy to permit, restrict, or accommodate the illegal use of the as defined in §4(s), of cannabis/marijuana in the workplace by employees.
   (b) Nothing in this amendment is intended to allow driving under the influence of cannabis/marijuana or to supersede laws related to driving under the influence of cannabis/marijuana.
   (c) Nothing in this amendment shall prohibit a person, employer, school, hospital, recreation or youth center, correction facility, corporation or any other entity who occupies, owns or controls private property from prohibiting or otherwise regulating the as defined in §4(s) of cannabis/marijuana on or in that property.
   (d) Nothing in this amendment is intended to permit the illegal use of the as defined in §4(s) of cannabis/marijuana or products containing or infused with cannabis/marijuana in public.
   (e) Nothing in this amendment proposes or intends to require any individual or entity to engage in any conduct that violates, or exempt any individual or entity from any requirement of, or pose any obstacle to federal enforcement of federal law upon passage of this amendment.

§ 14. Amendment.
This Amendment shall be broadly construed to accomplish its purpose, findings, declarations, and intent as stated in §3. In conjunction and synonymously with the General Assembly, Congress, and the Bureau of Cannabis/Marijuana Control, all shall promulgate and adopt regulations and enact legislation that will foster, implement, and aid in the providing governing to decriminalize cannabis at the federal, state, and local levels to leave to the States a power to establishing a comprehensive regulatory structure and system to legalize, control, license, and regulate the activities of cannabis/marijuana/hemp; protecting the health and public safety of consumers and small businesses by imposing strict anti-monopoly restrictions in the cannabis industry. The Legislature may by majority vote to amend the provisions of this Amendment that will foster, implement, and aid, provided that such amendments are pertinent and consistent with and further the purpose and intent of this Amendment; and providing regarding this
Amendment that no Legislators can remove the law because it is an amendment to the Arkansas Constitution, and can only be done so by the voters hereafter upon passage of this amendment.

§ 15. Construction and interpretation.
The provisions of this Amendment shall be liberally construed to effectuate the purposes and intent of the control, regulate, and tax the adult use of cannabis/marijuana within the Natural Resource Cannabis Amendment; provided, however, no provision or provisions of this Amendment shall be interpreted or construed in a manner to create a positive conflict with federal law, including the federal Controlled Substances Act, such that the provision or provisions of this Amendment and federal law cannot consistently stand together. And therefore, and including, but not limited to, the conflating of the cannabis issues — which is the full legalization of cannabis/marijuana/hemp, bringing together into a composite whole of all of the cannabis issues; of which federal law holds precedence over state laws; therefore, bringing the intention issue of the otherwise continued federal raids to an end; and or any rule adopted hereafter, the term “controlled substance” shall not include cannabis/marijuana; ending the federal prohibition on cannabis/marijuana. And including the removal from the schedule of controlled substances the terms where applicable, and striking "cannabis/marijuana" and "tetrahydrocannabinols"; including the removal of prohibition on shipping, transportation, import, and export of cannabis/marijuana upon passage of this amendment; and shall be legal within the state of Arkansas; and shall not be an offense or illegal, or be a basis for seizure or forfeiture of assets under local, state, federal, or Arkansas laws; and regulated and taxed in like manner as similar products, purpose, and categories as any other textiles, commodity, agriculture, goods and services produced in or out of this state upon passage of this amendment.

§ 16. Severable clause.
The provisions of this amendment are independent and severable, and, except where otherwise indicated in the text, shall supersede conflicting statutes, local charter, ordinance, or resolution, and other state and local provisions. If any provision of this amendment or the application thereof to any person or circumstance is found to be invalid, or unconstitutional, the remainder of this amendment shall not be affected and shall be given effect to the fullest extent possible, and to this end the provisions of this amendment are declared severable upon passage of this amendment.

§ 17. Conflicting Initiatives.
In the event that this amendment and another initiative, act, or amendment concerning the control, regulation, and taxation of cannabis/marijuana, medical marijuana, or industrial hemp appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure shall be null and void.