

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: H2/26/25

A Bill

HOUSE BILL 1452

5 By: Representative Lundstrum
6 By: Senator Dees
7

For An Act To Be Entitled

9 AN ACT CLARIFYING THE LAW ON THE USE OF MEDICAL
10 MARIJUANA IN CERTAIN PLACES; TO PROHIBIT THE
11 POSSESSION OF AN UNSEALED CONTAINER OF CERTAIN FORMS
12 OF MEDICAL MARIJUANA IN A MOTOR VEHICLE; AND FOR
13 OTHER PURPOSES.
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Subtitle

17 CLARIFYING THE LAW ON THE USE OF MEDICAL
18 MARIJUANA IN CERTAIN PLACES; AND TO
19 PROHIBIT THE POSSESSION OF AN UNSEALED
20 CONTAINER OF CERTAIN FORMS OF MEDICAL
21 MARIJUANA IN A MOTOR VEHICLE.
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code § 5-71-219 is amended to read as follows:
26 5-71-219. Unlawful ~~use and~~ transport of medical marijuana.

27 (a) As used in this section:

28 (1) "Cultivation facility" means the same as defined in the
29 Arkansas Medical Marijuana Amendment of 2016, Arkansas Constitution,
30 Amendment 98;

31 (2) "Dispensary" means the same as defined in the Arkansas
32 Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98;

33 (3) "Medical marijuana" means marijuana lawfully possessed,
34 transported, or used for a medical use under state law; and

35 (4) "Medical use" means the same as defined in the Arkansas
36 Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98.



(b) It is unlawful for a person to knowingly:

~~(1) Use medical marijuana through inhalation in a place prohibited under the Arkansas Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98;~~

~~(2)(1) Transport medical marijuana in an amount greater than five ounces (5 oz.) unless the person is a licensed transporter, is employed by a cultivation facility or dispensary licensed by the Medical Marijuana Commission, and is in possession of a valid registration identification card issued by the Alcoholic Beverage Control Division; or~~

~~(3)(2) Transport medical marijuana from another state into Arkansas.~~

(c) A violation of this section is a Class C misdemeanor.

SECTION 2. Arkansas Code Title 5, Chapter 71, Subchapter 2, is amended to add additional sections to read as follows:

5-71-231. Unlawful use of medical marijuana.

(a) As used in this section:

(1) "Medical marijuana" means marijuana lawfully possessed, transported, or used for medical use under state law;

(2) "Smoke" means to inhale, exhale, or burn lighted combustible plant material; and

(3) "Vapor inhalation" means breathing in the vapor of medical marijuana created by an e-cigarette, as defined in § 6-60-803(2).

(b)(1) It is unlawful for a person to knowingly use medical marijuana through vapor inhalation in a place prohibited under the Arkansas Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98, including:

(A) On a school bus;

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

(C) At a drug or alcohol treatment facility;

(D) At a community or recreation center;

(E) In a correctional facility;

(F) On any form of public transportation;

(G) In a public place as defined in § 20-27-1803(11); or

(H) On any property that is under control of the Arkansas National Guard or the United States military.

