## Stricken language would be deleted from and underlined language would be added to present law. Act 271 of the Regular Session

1	State of Arkansas	As Engrossed: H2/26/25		
2	95th General Assembly	A Bill		
3	Regular Session, 2025		HOUSE BILL 1452	
4				
5	By: Representative Lundstrum			
6	By: Senator Dees			
7				
8	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 PUR	POSES.		
14				
15				
16		Subtitle		
17	CLAR	RIFYING THE LAW ON THE USE OF MEDIC	CAL	
18	MARI	IJUANA IN CERTAIN PLACES; AND TO		
19	PROH	HIBIT THE POSSESSION OF AN UNSEALED	)	
20	CONT	FAINER OF CERTAIN FORMS OF MEDICAL		
21	MARI	IJUANA IN A MOTOR VEHICLE.		
22				
23	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF A	RKANSAS:	
24				
25	SECTION 1. Ark	ansas Code § 5-71-219 is amended t	o read as follows:	
26	5-71-219. Unlaw	ful <del>use and</del> transport of medical m	arijuana.	
27	(a) As used in	this section:		
28	(1) "Cul	tivation facility" means the same	as defined in the	
29	Arkansas Medical Marijuana Amendment of 2016, Arkansas Constitution,			
30	Amendment 98;			
31	(2) "Dis	pensary" means the same as defined	in the Arkansas	
32	Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98;			
33	(3) "Med	ical marijuana" means marijuana la	wfully 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 Mariinana Ame	endment of 2016. Arkansas Constitut	ion. Amendment 98.	

1	(b) It is unlawful for a person to knowingly:		
2	(1) Use medical marijuana through inhalation in a place		
3	prohibited under the Arkansas Medical Marijuana Amendment of 2016, Arkansas		
4	Constitution, Amendment 98;		
5	$\frac{(2)}{(1)}$ Transport medical marijuana in an amount greater than		
6	five ounces (5 oz.) unless the person is a licensed transporter, is employed		
7	by a cultivation facility or dispensary licensed by the Medical Marijuana		
8	Commission, and is in possession of a valid registration identification card		
9	issued by the Alcoholic Beverage Control Division; or		
10	(3)(2) Transport medical marijuana from another state into		
11	Arkansas.		
12	(c) A violation of this section is a Class C misdemeanor.		
13			
14	SECTION 2. Arkansas Code Title 5, Chapter 71, Subchapter 2, is amended		
15	to add additional sections to read as follows:		
16	5-71-231. Unlawful use of medical marijuana.		
17	(a) As used in this section:		
18	(1) "Medical marijuana" means marijuana lawfully possessed,		
19	transported, or used for medical use under state law;		
20	(2) "Smoke" means to inhale, exhale, or burn lighted combustible		
21	plant material; and		
22	(3) "Vapor inhalation" means breathing in the vapor of medical		
23	marijuana created by an e-cigarette, as defined in § 6-60-803(2).		
24	(b)(1) It is unlawful for a person to knowingly use medical marijuana		
25	through vapor inhalation in a place prohibited under the Arkansas Medical		
26	Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98, including:		
27	(A) On a school bus;		
28	(B) On the grounds of a daycare center, preschool, primary		
29	or secondary school, college, or university;		
30	(C) At a drug or alcohol treatment facility;		
31	(D) At a community or recreation center;		
32	(E) In a correctional facility;		
33	(F) On any form of public transportation;		
34	(G) In a public place as defined in § 20-27-1803(11); or		
35	(H) On any property that is under control of the Arkansas		
36	National Guard or the United States military.		

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1	(2) It is unlawful for a person to knowingly smoke medical		
2	marijuana in a place prohibited under the Arkansas Medical Marijuana		
3	Amendment of 2016, Arkansas Constitution, Amendment 98, including:		
4	(A) In a place where smoking tobacco is prohibited by law;		
5	(B) In the presence of a person who is under fourteen (14)		
6	years of age;		
7	(C) Inside a motor vehicle, aircraft, motorized		
8	watercraft, or any vehicle drawn by power other than muscle power;		
9	(D) Knowingly in the presence of a pregnant woman; or		
10	(E) In a place where the smoking of marijuana for medical		
11	use is likely to cause another person not authorized to use marijuana to be		
12	under the influence of marijuana.		
13	(c) Unlawful use of medical marijuana is a Class C misdemeanor.		
14			
15	5-71-232. Possession of uncontained medical marijuana in a motor		
16	<u>vehicle.</u>		
17	(a) As used in this section:		
18	(1) "Medical marijuana" means marijuana lawfully possessed,		
19	transported, or used for medical use under state law;		
20	(2) "Smoking" means inhaling, exhaling, or burning lighted		
21	combustible plant material; and		
22	(3) "Uncontained" means not contained in a jar, bag, wrapping or		
23	other container obtained from a dispensary licensed under the Arkansas		
24	Medical Marijuana Amendment of 2016, Arkansas Constitution, Amendment 98.		
25	(b) It is unlawful for a person to possess uncontained medical		
26	marijuana in a motor vehicle that is located on a public highway or the		
27	right-of-way of a public highway if:		
28	(1) The medical marijuana is in a form that can be readily used		
29	through smoking; and		
30	(2) The medical marijuana is within an area of the motor vehicle		
31	that is readily accessible to the driver in a seated position.		
32	(c) Possession of uncontained medical marijuana in a motor vehicle is		
33	a Class C misdemeanor.		
34	/s/Lundstrum		
35			
36	APPROVED: 3/12/25		