

ARKANSAS MEDICAL MARIJUANA AMENDMENT PROVISIONS AND HOW THEY AFFECT EMPLOYERS

July 19, 2017

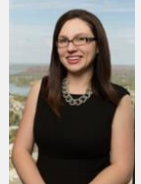
- A qualifying patient or designated caregiver in actual possession of a registry identification card shall not be subject to penalty in any manner or denied any right or privilege, including without limitation a civil penalty or disciplinary action by a business, occupational, or professional licensing board or bureau, for the *medical use* of marijuana in accordance with this amendment if the qualifying patient or designated caregiver possesses not more than two and one-half ounces (2 ½ oz.) of usable marijuana.
- An employer shall not discriminate against an individual in hiring, termination, or any term or condition of employment, or otherwise penalize an individual, based upon the individual's past or present status as a qualifying patient or designated caregiver.
- This amendment **DOES NOT** permit a person to: (1) Undertake any task under the influence of marijuana when doing so would constitute negligence or professional malpractice; (2) Possess, smoke, or otherwise engage in the use of marijuana in a public place (among others); OR (3) Operate, navigate, or be in actual physical control of a motor vehicle, etc., or any other vehicle drawn by power other than muscle power while under the influence of marijuana.
 - This amendment **DOES NOT** require:
 - An employer to accommodate the ingestion of marijuana in a workplace or an employee working while under the influence of marijuana;
 - An individual or establishment in lawful possession of property to allow a guest, client, customer, or other visitor to use marijuana on or in that property;
 - An individual or establishment in lawful possession of property to admit a guest, client, customer, or other visitor who is inebriated as a result of his or her medical use of marijuana

**FEDERAL LAW
STILL CONSIDERS
MARIJUANA AN
ILLEGAL DRUG**

**THIS AMENDMENT
WAS EFFECTIVE
NOVEMBER 9, 2016.**

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For assistance updating your Employee Manual or more information regarding this Amendment or other employment matters, please contact Jenny Teeter or Dylan Potts.