

REFERENCE TITLE: **medical marijuana dispensaries; location change**

State of Arizona  
House of Representatives  
Fifty-third Legislature  
First Regular Session  
2017

# **HB 2029**

Introduced by  
Representatives Leach: Boyer

AN ACT

AMENDING SECTION 36-2804, ARIZONA REVISED STATUTES; RELATING TO MEDICAL MARIJUANA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Subject to the requirements of article IV, part 1,  
3 section 1, Constitution of Arizona, section 36-2804, Arizona Revised  
4 Statutes, is amended to read:

5 36-2804. Registration and certification of nonprofit medical  
6 marijuana dispensaries

7 A. Nonprofit medical marijuana dispensaries shall register with the  
8 department.

9 B. Not later than ninety days after receiving an application for a  
10 nonprofit medical marijuana dispensary, the department shall register the  
11 nonprofit medical marijuana dispensary and issue a registration  
12 certificate and a random ~~20-digit~~ TWENTY-DIGIT alphanumeric identification  
13 number if:

14 1. The prospective nonprofit medical marijuana dispensary has  
15 submitted the following:

16 (a) The application fee.

17 (b) An application, including:

18 (i) The legal name of the nonprofit medical marijuana dispensary.

19 (ii) The physical address of the nonprofit medical marijuana  
20 dispensary and the physical address of one additional location, if any,  
21 where marijuana will be cultivated, neither of which may be within five  
22 hundred feet of a public or private school existing before the date of the  
23 nonprofit medical marijuana dispensary application.

24 (iii) The name, address and date of birth of each principal officer  
25 and board member of the nonprofit medical marijuana dispensary.

26 (iv) The name, address and date of birth of each nonprofit medical  
27 marijuana dispensary agent.

28 (c) Operating procedures consistent with department rules for  
29 oversight of the nonprofit medical marijuana dispensary, including  
30 procedures to ensure accurate ~~record-keeping~~ RECORDKEEPING and adequate  
31 security measures.

32 (d) If the city, town or county in which the nonprofit medical  
33 marijuana dispensary would be located has enacted zoning restrictions, a  
34 sworn statement certifying that the registered nonprofit medical marijuana  
35 dispensary is in compliance with the restrictions.

36 2. None of the principal officers or board members has been  
37 convicted of an excluded felony offense.

38 3. None of the principal officers or board members has served as a  
39 principal officer or board member for a registered nonprofit medical  
40 marijuana dispensary that has had its registration certificate revoked.

41 4. None of the principal officers or board members is under twenty-  
42 one years of age.

43 C. The department may not issue more than one nonprofit medical  
44 marijuana dispensary registration certificate for every ten pharmacies  
45 that have registered under section 32-1929, have obtained a pharmacy

1 permit from the Arizona STATE board of pharmacy and operate within the  
2 state except that the department may issue nonprofit medical marijuana  
3 dispensary registration certificates in excess of this limit if necessary  
4 to ensure that the department issues at least one nonprofit medical  
5 marijuana dispensary registration certificate in each county in which an  
6 application has been approved.

7 D. AFTER THE DEPARTMENT ISSUES A REGISTRATION CERTIFICATE, A  
8 NONPROFIT MEDICAL MARIJUANA DISPENSARY MAY CHANGE THE LOCATION OF THE  
9 DISPENSARY OR THE CULTIVATION SITE ONLY TO ANOTHER LOCATION THAT IS IN THE  
10 SAME COMMUNITY HEALTH ANALYSIS AREA AS ESTABLISHED BY THE DEPARTMENT AT  
11 THE TIME THE ORIGINAL REGISTRATION CERTIFICATE WAS ISSUED. THE NEW  
12 DISPENSARY IS SUBJECT TO ALL OTHER REQUIREMENTS FOR A NEW DISPENSARY.

13 ~~D.~~ E. The department may conduct a criminal records check in order  
14 to carry out this section.

15 Sec. 2. Requirements for enactment: three-fourths vote

16 Pursuant to article IV, part 1, section 1, Constitution of Arizona,  
17 section 36-2804, Arizona Revised Statutes, as amended by this act, is  
18 effective only on the affirmative vote of at least three-fourths of the  
19 members of each house of the legislature.