

REFERENCE TITLE: marijuana; conviction exclusion; cultivation

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
Second Regular Session  
2026

## **HCR 2037**

Introduced by  
Representative Rivero

A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING  
TO MARIJUANA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona,  
2 the Senate concurring:

3 1. Under the power of the referendum, as vested in the Legislature,  
4 the following measure, relating to marijuana, is enacted to become valid  
5 as a law if approved by the voters and on proclamation of the Governor:

6 AN ACT

7 AMENDING TITLE 36, CHAPTER 28.2, ARIZONA REVISED STATUTES, BY  
8 ADDING SECTIONS 36-2870, 36-2871, 36-2872, 36-2873 AND  
9 36-2874; RELATING TO MARIJUANA.

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

11 Section 1. Title 36, chapter 28.2, Arizona Revised  
12 Statutes, is amended by adding sections 36-2870, 36-2871,  
13 36-2872, 36-2873 and 36-2874, to read:

14 36-2870. Licensing eligibility; violent crime  
15 conviction; exclusion; definition

16 A. AN INDIVIDUAL MAY NOT SERVE AS A PRINCIPAL OFFICER,  
17 BOARD MEMBER OR CONTROLLING PERSON OF A MARIJUANA  
18 ESTABLISHMENT, MARIJUANA TESTING FACILITY OR DUAL LICENSEE IF  
19 THE INDIVIDUAL HAS BEEN CONVICTED OF A VIOLENT CRIME AS  
20 DEFINED IN SECTION 13-901.03.

21 B. THE DEPARTMENT SHALL DENY, SUSPEND OR REVOKE A  
22 LICENSE ISSUED UNDER THIS CHAPTER FOR FAILURE TO COMPLY WITH  
23 THE REQUIREMENTS OF THIS SECTION.

24 C. FOR THE PURPOSES OF THIS SECTION, "CONVICTED"  
25 INCLUDES A JUDGMENT OF CONVICTION, A FINDING OF GUILT, AN  
26 ACCEPTED PLEA OF GUILTY OR NO CONTEST OR PARTICIPATION IN A  
27 DEFERRED ADJUDICATION OR FIRST-OFFENDER PROGRAM.

28 36-2871. Cultivation; canopy size; allocation; pooling  
29 agreements; applicability; rules

30 A. EACH MARIJUANA ESTABLISHMENT LICENSE AND NONPROFIT  
31 MEDICAL MARIJUANA DISPENSARY REGISTRATION CERTIFICATE IS  
32 ASSIGNED A BASE CULTIVATION CANOPY OF FIFTEEN THOUSAND SQUARE  
33 FEET. A DUAL LICENSEE IS ASSIGNED A COMBINED CANOPY OF THIRTY  
34 THOUSAND SQUARE FEET.

35 B. A LICENSEE MAY ALLOCATE ITS CANOPY ACROSS ONE OR  
36 MORE REGISTERED CULTIVATION FACILITIES. THE TOTAL SQUARE  
37 FOOTAGE OF A CANOPY PURSUANT TO THIS SECTION MAY NOT EXCEED  
38 THE ASSIGNED ALLOCATION.

39 C. TWO OR MORE LICENSEES MAY POOL CANOPY ALLOCATIONS  
40 PURSUANT TO A WRITTEN AGREEMENT FILED WITH AND APPROVED BY THE  
41 DEPARTMENT. EACH PARTICIPATING LICENSEE REMAINS JOINTLY  
42 RESPONSIBLE FOR COMPLIANCE.

43 D. THIS SECTION APPLIES ONLY TO COMMERCIAL CULTIVATION  
44 AND DOES NOT AFFECT ANY PERSONAL OR CAREGIVER CULTIVATION  
45 AUTHORIZED BY LAW.

1 E. THE DEPARTMENT SHALL ADOPT RULES GOVERNING CANOPY  
2 MEASUREMENTS, REPORTING AND INSPECTIONS AND CANOPY POOLING  
3 AGREEMENTS.

4 36-2872. Residual solvents; limits

5 BEGINNING EIGHTEEN MONTHS AFTER THE EFFECTIVE DATE OF  
6 THIS SECTION:

7 1. MARIJUANA PRODUCTS THAT ARE PRODUCED USING  
8 SOLVENT-BASED EXTRACTION MAY NOT EXCEED THE FOLLOWING RESIDUAL  
9 SOLVENT LIMITS:

10 (a) BUTANE, PROPANE, ACETONE, ETHANOL, ISOPROPANOL,  
11 PENTANE, HEPTANE, FIVE HUNDRED PARTS PER MILLION.

12 (b) HEXANE, TWO HUNDRED NINETY PARTS PER MILLION.

13 (c) TOTAL COMBINED CLASS-3 SOLVENTS, ONE THOUSAND PARTS  
14 PER MILLION.

15 2. MARIJUANA PRODUCTS THAT DO NOT COMPLY WITH THE  
16 REQUIREMENTS OF PARAGRAPH 1 OF THIS SECTION MAY NOT BE SOLD  
17 AND MUST BE REMEDIATED OR DESTROYED.

18 36-2873. Interstate commerce; prohibition;  
19 seed-to-sale tracking system; license  
20 revocation or suspension

21 A. MARIJUANA THAT IS CULTIVATED, MANUFACTURED OR SOLD  
22 IN THIS STATE SHALL REMAIN WITHIN THIS STATE UNLESS FEDERAL  
23 LAW EXPRESSLY AUTHORIZES INTERSTATE COMMERCE.

24 B. THE DEPARTMENT SHALL MAINTAIN A SEED-TO-SALE  
25 TRACKING SYSTEM CAPABLE OF DIVERSION DETECTION AND LONG-TERM  
26 RECORDS RETENTION.

27 C. A VIOLATION OF THIS SECTION IS GROUNDS FOR THE  
28 SUSPENSION OR REVOCATION OF A MARIJUANA ESTABLISHMENT LICENSE.

29 36-2874. Participation in federal registration;  
30 regulatory framework; sharing information

31 A. THE DEPARTMENT SHALL ESTABLISH A REGULATORY  
32 FRAMEWORK DESIGNED TO PREPARE LICENSEES FOR PARTICIPATION IN  
33 ANY FEDERAL REGISTRATION OR OVERSIGHT SYSTEM APPLICABLE TO  
34 MARIJUANA AS A SCHEDULE III CONTROLLED SUBSTANCE.

35 B. THE DEPARTMENT MAY SHARE LICENSING AND COMPLIANCE  
36 INFORMATION WITH FEDERAL AGENCIES FOR REGULATORY COORDINATION,  
37 DIVERSION PREVENTION OR LICENSEE VERIFICATION.

38 C. PARTICIPATION IN ANY FEDERAL REGISTRATION PROGRAM IS  
39 VOLUNTARY UNLESS REQUIRED BY FEDERAL LAW.

40 D. THIS SECTION DOES NOT AUTHORIZE INTERSTATE COMMERCE  
41 OR REQUIRE THE STATE TO ENFORCE FEDERAL LAW.

42 Sec. 2. Short title

43 This act may be cited as the "Arizona Marijuana  
44 Alignment and Public Safety Act".

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Sec. 3. Severability

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona.