



Bill Number: S.B. 1105

Bolick Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

- 1. Prohibits a locality from enacting any ordinance, regulation or rule that allows a marijuana establishment to be located within 500 feet of a public school, private school, child care facility or facility that provides preschool programs.**
- 2. Applies the location restrictions on nonprofit medical marijuana dispensaries and marijuana establishments only to nonprofit medical marijuana dispensary registration certificates and marijuana establishment licenses issued after the general effective date.**
- 3. Makes conforming changes.**

BOLICK FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1105
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.

[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

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, A CHILD CARE FACILITY OR A
23 FACILITY THAT PROVIDES PRESCHOOL PROGRAMS existing before the date of the
24 nonprofit medical marijuana dispensary application.

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

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

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

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

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

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

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

16 C. The department may not issue more than one nonprofit medical
17 marijuana dispensary registration certificate for every ten pharmacies
18 that have registered under section 32-1929, have obtained a pharmacy
19 permit from the Arizona STATE board of pharmacy and operate within the
20 state, except that the department may issue nonprofit medical marijuana
21 dispensary registration certificates in excess of this limit if necessary
22 to ensure that the department issues at least one nonprofit medical
23 marijuana dispensary registration certificate in each county in which an
24 application has been approved.

25 D. The department may conduct a criminal records check in order to
26 carry out this section.

27 <<Sec. 2. Subject to the requirements of article IV, part 1,
28 section 1, Constitution of Arizona, section 36-2857, Arizona Revised
29 Statutes, is amended to read:

30 36-2857. Localities: marijuana establishments and marijuana
31 testing facilities

32 A. A locality may:

33 1. Enact reasonable zoning regulations that limit the use of land
34 for marijuana establishments and marijuana testing facilities to specified
35 areas.

36 2. Limit the number of marijuana establishments or marijuana
37 testing facilities, or both.

38 3. Prohibit marijuana establishments or marijuana testing
39 facilities, or both.

40 4. Regulate the time, place and manner of marijuana establishment
41 and marijuana testing facility operations.

42 5. Establish reasonable restrictions on public signage regarding
43 marijuana, marijuana establishments and marijuana testing facilities.

44 6. Prohibit or restrict delivery within its jurisdiction.

45 B. A county may exercise its authority pursuant to subsection A of
46 this section only in unincorporated areas of the county.

47 C. A locality may not enact any ordinance, regulation or rule that:

1 1. Is more restrictive than a comparable ordinance, regulation or
2 rule that applies to nonprofit medical marijuana dispensaries.

3 2. Makes the operation of a marijuana establishment or marijuana
4 testing facility unduly burdensome if the locality has not prohibited
5 marijuana establishments or marijuana testing facilities.

6 3. Conflicts with this chapter or rules adopted pursuant to this
7 chapter.

8 4. Prohibits the transportation of marijuana by a marijuana
9 establishment or marijuana testing facility on public roads.

10 5. Restricts or interferes with the ability of a dual licensee or
11 an entity eligible to become a dual licensee to operate a nonprofit
12 medical marijuana dispensary and a marijuana establishment cooperatively
13 at shared locations.

14 6. Except as expressly authorized by this section or section
15 36-2851, prohibits or restricts any conduct or transaction allowed by this
16 chapter, or imposes any liability or penalty in addition to that
17 prescribed by this chapter for any conduct or transaction constituting a
18 violation of this chapter.

19 [7. ALLOWS A MARIJUANA ESTABLISHMENT TO LOCATE WITHIN FIVE HUNDRED
20 FEET OF A PUBLIC OR PRIVATE SCHOOL, A CHILD CARE FACILITY OR A FACILITY
21 THAT PROVIDES PRESCHOOL PROGRAMS.]>>

22 <<Sec. 3. Applicability

23 [This act applies to any nonprofit medical marijuana dispensary
24 registration certificate or marijuana establishment license that is issued
25 on or after the effective date of this act.]>>

26 Sec. 4. Requirements for enactment: three-fourths vote

27 Pursuant to article IV, part 1, section 1, Constitution of Arizona,
28 [section][sections] 36-2804 [and 36-2857], Arizona Revised Statutes, as
29 amended by this act, [is][are] effective only on the affirmative vote of
30 at least three-fourths of the members of each house of the legislature.

31 Enroll and engross to conform

32 Amend title to conform

SHAWNNA BOLICK

1105FloorBOLICK.docx

02/17/2025

09:06 AM

C: MH