

REFERENCE TITLE: marijuana; unincorporated areas; reservations;
prohibition

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HCR 2035

Introduced by
Representatives Peshlakai: Contreras L, Crews, Gutierrez, Hernandez L,
Hernandez M, Ortiz, Quiñonez, Sandoval, Schwiebert, Seaman, Stahl
Hamilton, Terech, Travers, Tsosie, Villegas; Senator Hatathlie

A CONCURRENT RESOLUTION

ENACTING AND ORDERING 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 28.1, ARIZONA REVISED STATUTES, BY
8 ADDING SECTION 36-2823; AMENDING TITLE 36, CHAPTER 28.2,
9 ARIZONA REVISED STATUTES, BY ADDING SECTION 36-2866; RELATING
10 TO MARIJUANA.

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

12 Section 1. Title 36, chapter 28.1, Arizona Revised
13 Statutes, is amended by adding section 36-2823, to read:

14 36-2823. Nonprofit medical marijuana dispensaries;
15 independent third-party laboratories;
16 prohibited locations

17 NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER, THE
18 DIRECTOR MAY NOT ISSUE A NONPROFIT MEDICAL MARIJUANA
19 DISPENSARY REGISTRATION CERTIFICATE OR CERTIFY AN INDEPENDENT
20 THIRD-PARTY LABORATORY AT A LOCATION IN UNINCORPORATED
21 TERRITORY THAT IS SURROUNDED ON ALL SIDES BY AN INDIAN
22 RESERVATION IN THIS STATE.

23 Sec. 2. Title 36, chapter 28.2, Arizona Revised
24 Statutes, is amended by adding section 36-2866, to read:

25 36-2866. Marijuana establishments; marijuana testing
26 facilities; prohibited locations

27 NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER, THE
28 DIRECTOR MAY NOT ISSUE A MARIJUANA ESTABLISHMENT LICENSE OR A
29 MARIJUANA TESTING FACILITY LICENSE AT A LOCATION IN
30 UNINCORPORATED TERRITORY THAT IS SURROUNDED ON ALL SIDES BY AN
31 INDIAN RESERVATION IN THIS STATE.

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