

1 **Section 1.** This article shall be known as the Lowest Law Enforcement and Prosecutorial Priority
2 Policy Ordinance of the City of Little Rock, Arkansas (“the City”).

3 **Section 2. Purpose.** The purpose of this article is:

4 (a) To make investigations, citations, arrests, and property seizures for adult
5 misdemeanor marijuana offenses, where the possession, or use of marijuana was
6 intended only for adult use, the lowest law enforcement and prosecutorial priority
7 within the City; and,

8 (b) To transmit notification of this enactment of this ordinance to all State and Federal
9 Elected Officials who are directly elected from all or a portion of the corporate limits
10 of the City.

11 **Section 3. Definitions.** For the purpose of this article the following words and phrases shall have
12 mean:

13 *Adult* is a person eighteen (18) years or age or older;

14 *Little Rock Law Enforcement Officer* means a Certified Law Enforcement Officer of the
15 Little Rock Police Department, or any other City entity that engages in law enforcement activity
16 within the corporate limits of the City;

17 *Lowest Law Enforcement Priority* means a priority such that all law enforcement over which
18 the City has authority shall have a higher priority than the personal adult use of marijuana, other
19 than the exceptions set forth in this article;

20 *Marijuana* means all parts of the cannabis plant including the stalks, seeds, roots, dried
21 leaves, flowers, oils, vapors, waxes, and other portions of the marijuana plant or preparation of
22 such a plan; provided, it does not include the weight of any ingredients other than marijuana that
23 are combined with marijuana and prepared for consumption as food or drink;

24 **Section 4. Lowest Law Enforcement Priority Policy.**

25 (a) City Certified Law Enforcement Officers shall make law enforcement activity
26 relating to marijuana offenses, where the marijuana was intended for adult personal
27 use, their lowest law enforcement priority. Law enforcement activities relating to
28 marijuana offenses include, but are not limited to, investigation, citation, arrest,
29 seizure of property.

30 (b) This lowest law enforcement priority policy shall not apply to states that deal
31 with impaired driving including, but not limited to, driving under the influence of a
32 controlled substance.

33 **Section 5. Notification of Federal and State Officials.**

34 (a) Beginning three (3) months after the enactment of this article, the City Clerk
35 shall execute a mandatory and ministerial duty of sending letters on an annual basis

1 to the member of the United States House of Representatives whose District includes
2 the corporate limits of the City, both Arkansas United States Senators, any
3 Representative or Senator in the Arkansas General Assembly whose district includes
4 all or a portion of the corporate limits of the City, the Governor of the State of
5 Arkansas, and the President of the United States.

6 (b) This letter shall state, "The City of Little Rock, Arkansas has passed an ordinance
7 to de-prioritize adult marijuana offenses, where the marijuana is intended for
8 personal use, and request that the Federal and Arkansas State Governments take
9 immediate steps to enact similar laws."

10 (c) The duty to prepare and send such letters shall be carried out until State and
11 Federal Laws are changed accordingly.

12 **Section 6. *Mandatory Enforcement.*** All sections of this article are mandatory. If any provision of
13 this article is not carried out properly, any person who is registered to vote in Little Rock may seek a
14 writ of mandamus to ensure the law is fully implemented.

15 **Section 4. *Severability.*** In the event any title, section, paragraph, item, sentence, clause, phrase, or
16 word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or
17 adjudication shall not affect the remaining portions of the resolution which shall remain in full force and
18 effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the
19 resolution.

20 **Section 5. *Repealer.*** All laws, ordinances, resolutions, or parts of the same, that are inconsistent with
21 the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

22 **PASSED: August 20, 2019**

23 **ATTEST:**

APPROVED:

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26 **Susan Langley, City Clerk**

_____ **Frank Scott, Jr., Mayor**

27 **APPROVED AS TO LEGAL FORM:**

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30 **Thomas M. Carpenter, City Attorney**

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