

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1972

5 By: Representatives Blake, V. Flowers
6 By: Senator Elliott
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE POSSESSION OF MARIJUANA; AND
10 FOR OTHER PURPOSES.
11

Subtitle

12 CONCERNING THE POSSESSION OF MARIJUANA.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 5-64-419(b)(5), concerning the possession
20 of a Schedule VI controlled substance, is amended to read as follows:

21 (5) A Schedule VI controlled substance with an aggregate weight,
22 including an adulterant or diluent, of:

23 (A)(i) Less than four ounces (4 oz.) upon conviction is
24 guilty of a Class A misdemeanor.

25 (ii)(a) However, if the Schedule VI controlled
26 substance is less than one ounce (1 oz.) of marijuana, the offense is a
27 violation.

28 (b) The sentence for a violation under
29 subdivision (b)(5)(A)(ii)(a) of this section is a fine of not more than two
30 hundred dollars (\$200);

31 (B)(i) One ounce (1 oz.) or more but less than four ounces
32 (4 oz.) and the person has four (4) previous convictions under this section
33 or the former § 5-64-401(c) upon conviction is guilty of a Class D felony.

34 (ii) However, a conviction under subdivision
35 (b)(5)(A)(ii)(a) of this section is not a previous conviction under
36 subdivision (b)(5)(B)(i) of this section;



1 (C) Four ounces (4 oz.) or more but less than ten pounds
2 (10 lbs.) upon conviction is guilty of a Class D felony;

3 (D) Ten pounds (10 lbs.) or more but less than twenty-five
4 pounds (25 lbs.) upon conviction is guilty of a Class C felony;

5 (E) Twenty-five pounds (25 lbs.) or more but less than one
6 hundred pounds (100 lbs.) upon conviction is guilty of a Class B felony; or

7 (F) One hundred pounds (100 lbs.) or more but less than
8 five hundred pounds (500 lbs.) upon conviction is guilty of a Class A felony.

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