

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

# A Bill

SENATE BILL 661

4  
5 By: Senator Bond

## For An Act To Be Entitled

8 AN ACT CONCERNING THE POSSESSION OF MARIJUANA BY A  
9 FIRST-TIME OFFENDER; CONCERNING THE POSSESSION OF A  
10 CONTROLLED SUBSTANCE; AND FOR OTHER PURPOSES.

## Subtitle

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13 CONCERNING THE POSSESSION OF MARIJUANA BY  
14 A FIRST-TIME OFFENDER; AND CONCERNING THE  
15 POSSESSION OF A CONTROLLED SUBSTANCE.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code § 5-64-419(b)(5), concerning the possession  
22 of a Schedule VI controlled substance, is amended to read as follows:

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

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

27 (ii)(a) However, if the Schedule VI controlled  
28 substance is marijuana, and the person does not have a prior conviction under  
29 this subchapter, the offense is an unclassified misdemeanor.

30 (b) The sentence for an unclassified  
31 misdemeanor under subdivision (b)(5)(A)(ii)(a) of this section is a fine of  
32 not more than one thousand dollars (\$1,000);

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

36 (C) Four ounces (4 oz.) or more but less than ten pounds



1 (10 lbs.) upon conviction is guilty of a Class D felony;

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

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

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

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