

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1763

5 By: Representative Della Rosa
6 By: Senator J. Hutchinson
7

For An Act To Be Entitled

9 AN ACT CLARIFYING THE CRIMINAL OFFENSE OF POSSESSION
10 OF DRUG PARAPHERNALIA; AND FOR OTHER PURPOSES.
11

Subtitle

14 CLARIFYING THE CRIMINAL OFFENSE OF
15 POSSESSION OF DRUG PARAPHERNALIA.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 5-64-443 is amended to read as follows:
21 5-64-443. Drug paraphernalia.

22 (a) A person who possesses drug paraphernalia with the purpose to use
23 the drug paraphernalia to inject, ingest, inhale, or otherwise introduce into
24 the human body a controlled substance in violation of this chapter upon
25 conviction is guilty of:

26 (1) A Class A misdemeanor; or

27 (2) A Class D felony if the controlled substance is
28 methamphetamine or cocaine.

29 (b) A person who uses or possesses with the purpose to use drug
30 paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture,
31 compound, convert, produce, process, prepare, test, analyze, pack, or repack,
32 ~~store, contain, or conceal~~ a controlled substance that is methamphetamine or
33 cocaine upon conviction is guilty of a Class B felony.

34 (c) A person who uses or possesses with the purpose to use drug
35 paraphernalia to store, contain, or conceal a controlled substance that is
36 methamphetamine or cocaine upon conviction is guilty of a Class D felony.



