Stricken language would be deleted from and underlined language would be added to present law. Act 888 of the Regular Session

1	State of Arkansas	A Bill	
2	91st General Assembly	A DIII	*********
3	Regular Session, 2017		HOUSE BILL 1763
4	Dru Dammagantativa Dalla Daga		
5	By: Representative Della Rosa		
6	By: Senator J. Hutchinson		
7		For An Act To Be Entitled	
8 9	AN ACT CLAD		CCTON
10	AN ACT CLARIFYING THE CRIMINAL OFFENSE OF POSSESSION OF DRUG PARAPHERNALIA; AND FOR OTHER PURPOSES.		
11	OF DRUG FAR	AFFIERNALIA, AND FOR OTHER FURFOSES.	
12			
13		Subtitle	
14	CLARII	FYING THE CRIMINAL OFFENSE OF	
15	POSSES	SSION OF DRUG PARAPHERNALIA.	
16			
17			
18	BE IT ENACTED BY THE GE	NERAL ASSEMBLY OF THE STATE OF ARKAN	SAS:
19			
20	SECTION 1. Arkan	sas Code § 5-64-443 is amended to re	ad as follows:
21	5-64-443. Drug pa	raphernalia.	
22	(a) A person who	possesses drug paraphernalia with t	he purpose to use
23	the drug paraphernalia	to inject, ingest, inhale, or otherw	ise introduce into
24	the human body a contro	lled substance in violation of this	chapter upon
25	conviction is guilty of	:	
26	(1) A Clas	s A misdemeanor; or	
27	(2) A Clas	s D felony if the controlled substan	ce is
28	methamphetamine or coca	ine.	
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, prod	uce, process, prepare, test, analyze	, pack, <u>or</u> repack ,
32	store, contain, or conc	eal a controlled substance that is m	ethamphetamine or
33	cocaine upon conviction	is guilty of a Class B felony.	
34	_	uses or possesses with the purpose	_
35	-	contain, or conceal a controlled su	
36	methamphetamine or coca	ine upon conviction is guilty of a C	lass D felony.

1	$\frac{(e)(d)}{(d)}$ A person who uses or possesses with the purpose to use drug
2	paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture,
3	compound, convert, produce, process, prepare, test, analyze, pack, or repack-
4	store, contain, or conceal a controlled substance that is not methamphetamine
5	or cocaine upon conviction is guilty of a Class D felony.
6	(e) A person who uses or possesses with the purpose to use drug
7	paraphernalia to store, contain, or conceal a controlled substance that is
8	not methamphetamine or cocaine upon conviction is guilty of a Class \underline{A}
9	misdemeanor.
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12	APPROVED: 04/04/2017
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