

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/2/11
A Bill

HOUSE BILL 1636

5 By: Representatives Stewart, Hubbard
6

7 **For An Act To Be Entitled**

8 *AN ACT TO AMEND THE MILITARY CODE OF ARKANSAS TO MAKE*
9 *WRONGFUL USE OR POSSESSION OF A CONTROLLED SUBSTANCE*
10 *PUNISHABLE BY COURT-MARTIAL; AND FOR OTHER PURPOSES.*
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13 **Subtitle**

14 *TO AMEND THE MILITARY CODE OF ARKANSAS TO*
15 *MAKE WRONGFUL USE OR POSSESSION OF A*
16 *CONTROLLED SUBSTANCE PUNISHABLE BY COURT-*
17 *MARTIAL.*
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 12, Chapter 64, Subchapter 8 is amended
23 to add an additional section to read as follows:

24 12-64-847. Use or possession of a controlled substance.

25 (a) As used in this section, "controlled substance" means:

26 (1) Amphetamine;

27 (2) Cocaine;

28 (3) Heroin;

29 (4) Lysergic acid diethylamide;

30 (5) Marijuana;

31 (6) Methamphetamine;

32 (7) Opium;

33 (8) Phencyclidine;

34 (9) Barbituric acid, including Phenobarbital and secobarbital;

35 or

36 (10) Any substance that is included in Schedules I through VI



1 established by the Controlled Substances Act of 1970, 21 U.S.C. § 812, or the
2 Uniform Controlled Substances Act, § 5-64-101 et seq.

3 (b) A person subject to this code who wrongfully uses, is under the
4 influence of, or possesses a controlled substance shall be punished as a
5 court-martial may direct.

6 (c) A person subject to this code who wrongfully possesses the
7 metabolites of a controlled substance in his or her blood or urine shall be
8 punished as a court-martial may direct.

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10 */s/Stewart*
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