State of Arkansas
93rd General Assembly
Regular Session, 2021
By: Senator C. Tucker

A Bill
SENATE BILL 499

For An Act To Be Entitled
AN ACT CONCERNING THE POSSESSION OF MARIJUANA; AND
FOR OTHER PURPOSES.

Subtitle
CONCERNING THE POSSESSION OF MARIJUANA.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-64-419(b)(5), concerning the possession
of a Schedule VI controlled substance, is amended to read as follows:
(5) A Schedule VI controlled substance with an aggregate weight,
including an adulterant or diluent, of:
(A)(i) Less than four ounces (4 oz.) upon conviction is
guilty of a Class A misdemeanor.
(ii) However, if the Schedule VI controlled
substance is marijuana with an aggregate weight, including an adulterant or
diluent, of less than one ounce (1 oz.), the offense is a violation with a
maximum fine of two hundred dollars ($200);
(B)(i) One ounce (1 oz.) or more but less than four ounces
(4 oz.) and the person has four (4) previous convictions under this section
or the former § 5-64-401(c) upon conviction is guilty of a Class D felony.
(ii) However, a conviction under subdivision
(b)(5)(A)(ii) of this section is not a previous conviction under subdivision
(b)(5)(B)(i) of this section;
(C) Four ounces (4 oz.) or more but less than ten pounds
(10 lbs.) upon conviction is guilty of a Class D felony;
(D) Ten pounds (10 lbs.) or more but less than twenty-five
pounds (25 lbs.) upon conviction is guilty of a Class C felony;

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

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