

2 State of Arkansas
3 93rd General Assembly
4 Regular Session, 2021

A Bill

SENATE BILL 499

5
6 By: Senator C. Tucker

7 Filed with: Arkansas Legislative Council
8 pursuant to A.C.A. §10-3-217.

9 For An Act To Be Entitled

10 AN ACT CONCERNING THE POSSESSION OF MARIJUANA; AND
11 FOR OTHER PURPOSES.

12 Subtitle

13 CONCERNING THE POSSESSION OF MARIJUANA.
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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 § 5-64-419(b)(5), concerning the possession
21 of a Schedule VI controlled substance, is amended to read as follows:

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

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

26 (ii) However, if the Schedule VI controlled
27 substance is marijuana with an aggregate weight, including an adulterant or
28 diluent, of less than one ounce (1 oz.), the offense is a violation with a
29 maximum fine of two hundred dollars (\$200);

30 (B)(i) One ounce (1 oz.) or more but less than four ounces
31 (4 oz.) and the person has four (4) previous convictions under this section
32 or the former § 5-64-401(c) upon conviction is guilty of a Class D felony.

33 (ii) However, a conviction under subdivision
34 (b)(5)(A)(ii) of this section is not a previous conviction under subdivision
35 (b)(5)(B)(i) of this section;

1 (C) Four ounces (4 oz.) or more but less than ten pounds
2 (10 lbs.) upon conviction is guilty of a Class D felony;

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

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

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

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11 Referred requested by the Arkansas Senate

12 Prepared by: MBM/KFW
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