

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

As Engrossed: S3/17/11

A Bill

SENATE BILL 736

5 By: Senator B. Pritchard
6

For An Act To Be Entitled

8 AN ACT TO ESTABLISH CRIMINAL PENALTIES FOR THE
9 POSSESSION OF LESS THAN FOUR OUNCES OF A SCHEDULE VI
10 CONTROLLED SUBSTANCE; AND FOR OTHER PURPOSES.
11

Subtitle

12 TO ESTABLISH CRIMINAL PENALTIES FOR THE
13 POSSESSION OF LESS THAN FOUR OUNCES OF A
14 SCHEDULE VI CONTROLLED SUBSTANCE.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code § 16-10-305(a)(6), effective until January 1,*
22 *2012, regarding court costs, is amended to read as follows:*

23 *(6) In city court, seventy-five dollars (\$75.00) for offenses that are*
24 *misdemeanors or violations under state law, excluding violations of:*

25 *(A) The Omnibus DWI Act, § 5-65-101 et seq.;*

26 *(B) The Underage DUI Law, § 5-65-301 et seq.;*

27 *(C) Section 5-75-101 et seq.;*

28 *(D) Section 5-76-101 et seq.;*

29 *(E) Section 27-23-114; or*

30 *(F) Section 15-42-127; ~~and~~*
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32 *SECTION 2. Arkansas Code § 16-10-305(a)(7), effective until January 1,*
33 *2012, regarding court costs, is amended to read as follows:*

34 *(7) In city court, fifty dollars (\$50.00) for traffic offenses that*
35 *are misdemeanors or violations under state law or local ordinance, excluding:*

36 *(A) The Omnibus DWI Act, § 5-65-101 et seq.;*



- 1 (B) *The Underage DUI Law, § 5-65-301 et seq.;*
- 2 (C) *Section 5-75-101 et seq.;*
- 3 (D) *Section 5-76-101 et seq.;*
- 4 (E) *Section 27-23-114; or*
- 5 (F) *Section 15-42-127-~~r~~; and*

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7 SECTION 3. *Arkansas Code § 16-10-305(a), effective until January 1,*
 8 *2012, is amended to add an additional subdivision to read as follows:*

9 *(8)(A) For knowingly possessing less than four ounces (4 oz.) of a*
 10 *Schedule VI controlled substance in circuit, district, or city court, three*
 11 *hundred dollars (\$300).*

12 *(B) One hundred fifty dollars (\$150) of the court costs*
 13 *collected under this subdivision (8) shall be remitted to the Treasurer of*
 14 *State by the court clerk for deposit into the Drug Abuse Prevention and*
 15 *Treatment Fund for the Office of Alcohol and Drug Abuse Prevention to be used*
 16 *exclusively for drug courts or other substance abuse and prevention*
 17 *activities.*

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19 SECTION 4. *Arkansas Code § 16-10-305(a), effective January 1, 2012, is*
 20 *amended to read as follows:*

21 (a) *There shall be levied and collected the following court costs from*
 22 *each defendant upon each conviction, each plea of guilty or nolo contendere,*
 23 *or each forfeiture of bond:*

24 (1) *For misdemeanor or felony violations of state law, excluding*
 25 *violations of the Omnibus DWI Act, § 5-65-101 et seq., in circuit court, one*
 26 *hundred fifty dollars (\$150);*

27 (2) *For offenses that are misdemeanors or violations of state*
 28 *law, excluding violations of the Omnibus DWI Act, § 5-65-101 et seq., in*
 29 *district court, one hundred dollars (\$100);*

30 (3) *For traffic offenses that are misdemeanors or violations*
 31 *under state law or town or city ordinance, excluding violations of the*
 32 *Omnibus DWI Act, § 5-65-101 et seq., in district court, seventy-five dollars*
 33 *(\$75.00);*

34 (4) *For nontraffic offenses that are misdemeanors or violations*
 35 *under town, city, or county ordinance in district court, twenty-five dollars*
 36 *(\$25.00); ~~and~~*

