

Stricken language would be deleted from and underlined language would be added to present law.
Act 1192 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S3/21/13
A Bill

SENATE BILL 1123

By: Senator J. Hutchinson

For An Act To Be Entitled

AN ACT CONCERNING THE OFFENSE OF ATTEMPTING TO OBTAIN
A CONTROLLED SUBSTANCE BY FRAUD; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING THE OFFENSE OF ATTEMPTING TO
OBTAIN A CONTROLLED SUBSTANCE BY FRAUD.

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

SECTION 1. Arkansas Code § 5-64-403(b), concerning the offense of controlled substances and fraudulent practices, is amended to read as follows:

(b) A person who violates:

(1) *Subdivisions (a)(1), (a)(2), (a)(3), or (a)(4) of this section upon conviction is guilty of a Class D felony; or*

(2) Subdivision (a)(5) of this section with respect to a noncontrolled substance represented to be a controlled substance classified in:

(A) Schedule I or Schedule II upon conviction is guilty of a Class C felony;

(B) Schedule III, Schedule IV, or Schedule V upon conviction is guilty of a Class D felony; or

(C) Schedule VI upon conviction is guilty of a Class
A misdemeanor.

SECTION 2. *Arkansas Code § 5-64-403, concerning the offense of*



controlled substances and fraudulent practices, is amended to add a new subsection to read as follows:

(c) A second or subsequent offense of attempt to violate subdivisions (a)(1), (a)(2), (a)(3), or (a)(4) of this section is a Class D felony.

/s/J. Hutchinson

APPROVED: 04/12/2013