

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: S4/4/19
A Bill

HOUSE BILL 1609

By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE OFFENSE OF
POSSESSION OF DRUG PARAPHERNALIA; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE OFFENSE
OF POSSESSION OF DRUG PARAPHERNALIA.

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

SECTION 1. Arkansas Code § 5-64-443 is amended to read as follows:

5-64-443. Drug paraphernalia.

(a) A person who possesses drug paraphernalia with the purpose to use the drug paraphernalia to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this chapter upon conviction is guilty of:

(1) A Class A misdemeanor; or

(2) A Class D felony if the controlled substance is methamphetamine, heroin, fentanyl, or cocaine.

(b) A person who uses or possesses with the purpose to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, or repack a controlled substance that is methamphetamine, heroin, fentanyl, or cocaine upon conviction is guilty of a Class B felony.

(c) A person who uses or possesses with the purpose to use drug paraphernalia to store, contain, or conceal a controlled substance that is methamphetamine, heroin, fentanyl, or cocaine upon conviction is guilty of a



Class D felony.

(d) A person who uses or possesses with the purpose to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, or repack a controlled substance that is not methamphetamine, heroin, fentanyl, or cocaine upon conviction is guilty of a Class D felony.

(e) A person who uses or possesses with the purpose to use drug paraphernalia to store, contain, or conceal a controlled substance that is not methamphetamine, heroin, fentanyl, or cocaine upon conviction is guilty of a Class A misdemeanor.

/s/Gazaway

APPROVED: 4/15/19