

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

HOUSE BILL 1972

By: Representatives Blake, V. Flowers

By: Senator Elliott

## 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)(a) However, if the Schedule VI controlled substance is less than one ounce (1 oz.) of marijuana, the offense is a violation.

(b) The sentence for a violation under subdivision (b)(5)(A)(ii)(a) of this section is a fine of not more than 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)(a) 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.