

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

HOUSE BILL 1603

By: Representative Clowney

## For An Act To Be Entitled

AN ACT CONCERNING DRUG PARAPHERNALIA; AND FOR OTHER  
PURPOSES.

### Subtitle

CONCERNING 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 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~~ D 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 A misdemeanor.

(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~~ A misdemeanor.

(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.