

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 499

By: Senator C. Tucker

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) However, if the Schedule VI controlled substance is marijuana with an aggregate weight, including an adulterant or diluent, of less than one ounce (1 oz.), the offense is a violation with a maximum fine of 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) 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.