

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1947

By: Representative Clowney

By: Senator G. Leding

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(a), concerning the possession of drug paraphernalia, is amended to read as follows:

(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 or to store, contain, conceal, or weigh a controlled substance in violation of this chapter upon conviction is guilty of:

(1) ~~A Class A misdemeanor; or~~ An unclassified misdemeanor punishable by imprisonment for not less than twenty-four (24) hours but no more than one (1) year and a fine not less than one hundred fifty dollars (\$150) but no more than one thousand dollars (\$1,000); or

(2) ~~A Class D felony if the:~~

~~(A) Controlled~~ If the controlled substance is
methamphetamine, heroin, fentanyl, or cocaine; ~~and:~~

~~(B) Person has been previously convicted of a violation of this chapter~~

(A) For a first offense, an unclassified misdemeanor



punishable by imprisonment for not less than twenty-four (24) hours but no more than one (1) year and a fine not less than one hundred fifty dollars (\$150) but no more than one thousand dollars (\$1,000);

(B) For a second offense occurring within ten (10) years of the first offense, an unclassified misdemeanor punishable by imprisonment for not less than seven (7) days but no more than one (1) year and a fine not less than four hundred dollars (\$400) but no more than three thousand dollars (\$3,000);

(C) For a third offense occurring within ten (10) years of the first offense, an unclassified misdemeanor punishable by imprisonment for not less than ninety (90) days but no more than one (1) year and a fine not less than nine hundred dollars (\$900) but no more than five thousand dollars (\$5,000); or

(D) For a fourth or subsequent offense occurring within ten (10) years of the first offense, an unclassified felony punishable by imprisonment for not less than one (1) year but no more than six (6) years and a fine not less than nine hundred dollars (\$900) but no more than five thousand dollars (\$5,000).