

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

HOUSE BILL 1603

4
5 By: Representative Clowney

For An Act To Be Entitled

8 AN ACT CONCERNING DRUG PARAPHERNALIA; AND FOR OTHER
9 PURPOSES.

Subtitle

12 CONCERNING DRUG PARAPHERNALIA.

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

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18 SECTION 1. Arkansas Code § 5-64-443 is amended to read as follows:
19 5-64-443. Drug paraphernalia.

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

24 ~~(1) A a Class A misdemeanor; or~~

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

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

32 (c) A person who uses or possesses with the purpose to use drug
33 paraphernalia to store, contain, or conceal a controlled substance that is
34 methamphetamine, heroin, fentanyl, or cocaine upon conviction is guilty of a
35 Class ~~D~~ felony A misdemeanor.

36 (d) A person who uses or possesses with the purpose to use drug



1 paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture,
2 compound, convert, produce, process, prepare, test, analyze, pack, or repack
3 a controlled substance that is not methamphetamine, heroin, fentanyl, or
4 cocaine upon conviction is guilty of a Class ~~D-felony~~ A misdemeanor.

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

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