

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1947

5 By: Representative Clowney
6 By: Senator G. Leding
7

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE OFFENSE OF
9 POSSESSION OF DRUG PARAPHERNALIA; AND FOR OTHER
10 PURPOSES.
11

Subtitle

12 TO AMEND THE LAW CONCERNING THE OFFENSE
13 OF POSSESSION OF DRUG PARAPHERNALIA.
14

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Arkansas Code § 5-64-443(a), concerning the possession of
19 drug paraphernalia, is amended to read as follows:
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21 (a) A person who possesses drug paraphernalia with the purpose to use
22 the drug paraphernalia to inject, ingest, inhale, or otherwise introduce into
23 the human body a controlled substance or to store, contain, conceal, or weigh
24 a controlled substance in violation of this chapter upon conviction is guilty
25 of:
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27 (1) ~~A Class A misdemeanor; or~~ An unclassified misdemeanor
28 punishable by imprisonment for not less than twenty-four (24) hours but no
29 more than one (1) year and a fine not less than one hundred fifty dollars
30 (\$150) but no more than one thousand dollars (\$1,000); or

31 (2) ~~A Class D felony if the:~~
32 ~~(A) Controlled~~ If the controlled substance is
33 methamphetamine, heroin, fentanyl, or cocaine; ~~and:~~

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

36 (A) For a first offense, an unclassified misdemeanor



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

4 (B) For a second offense occurring within ten (10) years
5 of the first offense, an unclassified misdemeanor punishable by imprisonment
6 for not less than seven (7) days but no more than one (1) year and a fine not
7 less than four hundred dollars (\$400) but no more than three thousand dollars
8 (\$3,000);

9 (C) For a third offense occurring within ten (10) years of
10 the first offense, an unclassified misdemeanor punishable by imprisonment for
11 not less than ninety (90) days but no more than one (1) year and a fine not
12 less than nine hundred dollars (\$900) but no more than five thousand dollars
13 (\$5,000); or

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

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