



Arkansas Marijuana Penalties

 conditional  hemp


		Incarceration	Fine
Possession (More than 1 oz see Sale)			
1 oz or less	misdemeanor	1 year	\$1,000
1 oz or less (2nd conviction)	felony	6 years	\$10,000
1 oz or less (3rd conviction)	felony	3 to 10 years	\$10,000
Sale or Cultivation			
1oz to 10 lbs	felony	4 - 10 years	\$25,000
10 lbs to 100 lbs	felony	5 - 20 years	\$15,000 - \$50,000
100 lbs or more	felony	6 - 30 years	\$15,000 - \$100,000
Within 1000 feet of school, park and other community centers	felony	Add 10 years	none
Second conviction can double penalty.			
Sale to minor at least 3 years younger than the seller can double penalty.			
Miscellaneous (paraphernalia, license suspensions, drug tax stamps, etc...)			
Simple paraphernalia	misdemeanor	1 year	\$1000
Paraphernalia possession with felony violation	felony	3 - 10 years	\$10,000
Any conviction causes driver's license suspension for 6 months.			
Any conviction causes commercial driver's license suspension for 1 year.			
Details			
<p>The penalty for possession of one ounce or less of marijuana is a misdemeanor and is punishable by up to one year in prison and a fine of up to \$1,000. The court may defer the proceedings and grant probation for no less than one year. Upon granting probation, the court may require drug treatment. If the terms of the probation are fulfilled, the court can discharge and dismiss the proceedings.</p> <p>There is a rebuttable presumption that any possession greater than one ounce is possession for sale.</p> <p>Possession for sale or cultivation of marijuana is a felony. For amounts greater than one ounce the punishment is 4 - 10 years in prison and a fine of up to \$25,000. For amounts of ten pounds or more the sentence can range from 5 - 20 years in prison and a fine of \$15,000 - \$50,000. For any amounts of 100 pounds or more the punishment is 6 -10 years in prison and a fine of \$15,000 - \$100,000.</p> <p>Second convictions of possession, sale, delivery or cultivation can result in sentences up to twice that allowed for first offenses.</p> <p>Any sale to a minor at least three years younger than the seller can double the above penalties.</p> <p>Any sale within 1000 feet of a school, public park, community or recreation center, public housing, day care center, church, skating rink or video arcade increases the penalty for the offense by 10 years.</p>			


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Minors convicted of any drug offense are subject to a driver's license suspension of six months.

Possession or use of drug paraphernalia in furtherance of a felony violation is punishable by 3 - 10 years in prison and a fine of up to \$10,000.

 **Conditional release:** The state allows conditional release or alternative or diversion sentencing for people facing their first prosecutions. Usually, conditional release lets a person opt for probation rather than trial. After successfully completing probation, the individual's criminal record does not reflect the charge.

 **Hemp:** This state has an active hemp industry or has authorized research. Hemp is a distinct variety of the plant species *cannabis sativa L.* that contains minimal (less than 1%) amounts of tetrahydrocannabinol (THC), the primary psychoactive ingredient in marijuana. Various parts of the plant can be utilized in the making of textiles, paper, paints, clothing, plastics, cosmetics, foodstuffs, insulation, animal feed, and other products. For more information see NORML's Industrial Use section. http://norml.org/index.cfm?Group_ID=3377

Also see Federal Laws http://norml.org/index.cfm?Group_ID=4575

About this Report

NORML's State Guide to Marijuana Penalties outlines most penalties for prohibited marijuana conduct in the 50 states, the District of Columbia, and under federal law. To view the list of prohibited conduct and penalties, click the map icon to the left to find your jurisdiction.

Marijuana laws and penalties change rapidly and are enforced and interpreted differently even in the same legal jurisdiction. Please consult a criminal defense lawyer if you have been busted or if you want to know how a particular conduct might be punished. If you spot an error or have information that should be included in NORML's State Guide to Marijuana Penalties, please inform the NORML Foundation (foundation@norml.org).

Please note:

- The guide does not list penalties for every marijuana offense nor every enhanced sentence such as possessing marijuana near a school, involving a minor, and automatic driver's or professional license suspension. Your state may require an enhanced sentence even if the enhancement is not in the guide.
- Unless otherwise specified, please assume that listed penalties apply only to first convictions. Prior convictions often place a defendant in a higher penalty range, and convictions while on probation for a previous offense may result in revocation of probation.
- Except where indicated otherwise, a listed fine is the maximum fine for the conviction and the minimum fine is zero.
- "Possession" usually means "possessing marijuana only for personal use". If the government accuses you of possessing marijuana for other reasons, the accompanying penalties will probably exceed those for possessing marijuana for personal use. Possessing large amounts of marijuana frequently results in more serious charges of "possession with intent to distribute", "trafficking", and/or "sale".
- Many factors contribute to a defendant's sentence. Factors include level of involvement in the prohibited conduct, location, age, presence or absence of minors, use or presence of weapons, conduct for which a person has been acquitted, and many other things.
- If you are in trouble, please know your rights and hire an attorney.

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Warning: The information contained in this report is for informational purposes only. Individuals are encouraged to confirm their state's laws before engaging in any particular behavior, or before going to court without a lawyer.

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Metric units to United States units of measurements:
One ounce (oz.) = 28.35 grams
One pound (lb.) = 16 ounces = 453.59 grams
One kilogram (kg.) = 1,000 grams (g) = 2.2 pounds (lbs.)