

Arkansas Firearms and Concealed Carry Laws Study

ALC-Executive Subcommittee

Final Report to the Legislative Council

December 20, 2024

Under the procedures adopted by the Legislative Council (Attachment A to the ALC-Game & Fish/State Police Subcommittee Report), the Executive Subcommittee shall review and consider the findings and recommendations of the report of the ALC-Game & Fish/State Police Subcommittee and make a final recommendation to the Legislative Council no later than the December 2024 meeting of the Legislative Council.

The ALC-Game & Fish/State Police Subcommittee chairs presented the final report and draft legislation adopted by their subcommittee to the Executive Subcommittee at the October 17, 2024, meeting of the Executive Subcommittee, and those recommendations were discussed and adopted. At the December 19, 2024 meeting of the Executive Subcommittee, the Executive Subcommittee adopted the following additions to the draft legislation:

- Added Section 21 to JLC174, amending Arkansas Code § 11-5-117, allowing an employee of a private employer to store his or her handgun in his or her vehicle in the parking lot of the private employer; and
- Included JLC152, to prohibit local government from regulating knives or knife-making components.

The Executive Subcommittee recommends adoption by the Legislative Council of all recommendations of both Subcommittees, which are included herein and attached to this report.

Respectfully Submitted: Sen. Terry Rice and Rep. Jeff Wardlaw, Co-Chairs

State of Arkansas
94th General Assembly
Second Extraordinary Session, 2023

A Bill

DRAFT JLC/JLC
HOUSE BILL

By: Representative Joey Carr
By: Senator Gilmore

For An Act To Be Entitled

AN ACT TO PROHIBIT LOCAL GOVERNMENT REGULATION OF
KNIVES OR KNIFE-MAKING COMPONENTS; AND FOR OTHER
PURPOSES.

Subtitle

TO PROHIBIT LOCAL GOVERNMENT REGULATION
OF KNIVES OR KNIFE-MAKING COMPONENTS.

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

SECTION 1. Arkansas Code § 14-16-504(b)(1)(A), concerning the
regulation of firearms and ammunition by local government, is amended to read
as follows:

(b)(1)(A) Except as otherwise provided in state or federal law, A a
local unit of government shall not enact ~~any~~ an ordinance or regulation
pertaining to, or regulate in any other manner, the ownership, transfer,
transportation, carrying, or possession of:

- (i) ~~firearms,~~ Firearms;
- (ii) ~~ammunition~~ Ammunition for firearms;~~;~~
- (iii) ~~or components~~ Components of firearms;~~;~~
- (iv) Knives; or
- (v) Knife-making components ~~except as otherwise~~
~~provided in state or federal law.~~

SECTION 2. Arkansas Code § 14-54-1411(b)(1)(A), concerning the
regulation of firearms and ammunition by local government, is amended to read

DRAFT

as follows:

(b)(1)(A) Except as otherwise provided in state or federal law, A a
local unit of government shall not enact ~~any~~ an ordinance or regulation
pertaining to, or regulate in any other manner, the ownership, transfer,
transportation, carrying, or possession of:

- (i) ~~firearms,~~ Firearms;
- (ii) ~~ammunition~~ Ammunition for firearms;~~;~~
- (iii) ~~or components~~ Components of firearms;~~;~~
- (iv) Knives; or
- (v) Knife-making components ~~except as otherwise~~
~~provided in state or federal law.~~

State of Arkansas
94th General Assembly
Third Extraordinary Session, 2024

A Bill

DRAFT JLC/CLJ
HOUSE BILL

By: Representative Wardlaw
By: Senator Hill

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING FIREARMS; TO AMEND
THE LAW CONCERNING POSSESSION OF A FIREARM WITHOUT A
LICENSE; TO AMEND THE LAW CONCERNING POSSESSION OF A
FIREARM WITH A LICENSE TO CARRY A CONCEALED HANDGUN;
AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING FIREARMS; TO
AMEND THE LAW CONCERNING POSSESSION OF A
FIREARM WITHOUT A LICENSE; AND TO AMEND
THE LAW CONCERNING POSSESSION OF A
FIREARM WITH A LICENSE TO CARRY A
CONCEALED HANDGUN.

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

SECTION 1. DO NOT CODIFY. Purpose and legislative intent.
The General Assembly finds that:

(1) The current Arkansas laws regarding ownership, use,
licensure, and possession of firearms have created confusion as to when,
where, and in what manner firearms may be legally carried in the State of
Arkansas;

(2) It is important to review the laws pertaining to concealed
carry, open carry, and constitutional carry of firearms and to reorganize the
laws to provide the citizens of the State of Arkansas with clear guidance on
these matters;

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1 (3) The language in this act serves to simplify and clarify
 2 current language in the law;

3 (4) The changes in this act are not intended to provide any
 4 additional restrictions on the existing concealed carry, open carry, and
 5 constitutional carry laws, including the laws regarding handguns and carrying
 6 a weapon on a journey; and

7 (5) If any part of this act is challenged in court, it is the
 8 intent of the General Assembly that this act is interpreted broadly to ensure
 9 an Arkansan's right to bear arms under the Second Amendment of the United
 10 States Constitution and Arkansas Constitution, Article 2, § 5.

11
 12 SECTION 2. Arkansas Code § 5-73-101(10), concerning the definition of
 13 "journey", is amended to read as follows:

14 (10) "Journey" means a person has left his or her home or the
 15 curtilage of his or her home ~~either on foot, horseback, bicycle, or in an~~
 16 ~~automobile~~ for any purpose or duration;

17
 18 SECTION 3. Arkansas Code § 5-73-119 is repealed.

19 ~~5-73-119. Handguns — Possession by minor or possession on school~~
 20 ~~property.~~

21 ~~(a)(1) No person in this state under eighteen (18) years of age shall~~
 22 ~~possess a handgun.~~

23 ~~(2)(A) A violation of subdivision (a)(1) of this section is a~~
 24 ~~Class A misdemeanor.~~

25 ~~(B) A violation of subdivision (a)(1) of this section is a~~
 26 ~~Class D felony if the person has previously:~~

27 ~~(i) Been adjudicated delinquent for a violation of~~
 28 ~~subdivision (a)(1) of this section;~~

29 ~~(ii) Been adjudicated delinquent for any offense that~~
 30 ~~would be a felony if committed by an adult; or~~

31 ~~(iii) Plead guilty or nolo contendere to or been~~
 32 ~~found guilty of a felony in circuit court while under eighteen (18) years of~~
 33 ~~age.~~

34 ~~(b)(1) No person in this state shall possess a firearm.~~

35 ~~(A) Upon the developed property of a public or private~~
 36 ~~school, kindergarten through grade twelve (K-12);~~

1 ~~(B) In or upon any school bus; or~~

2 ~~(C) At a designated bus stop as identified on the route~~
3 ~~list published by a school district each year.~~

4 ~~(2)(A) A violation of subdivision (b)(1) of this section is a~~
5 ~~Class D felony.~~

6 ~~(B) No sentence imposed for a violation of subdivision~~
7 ~~(b)(1) of this section shall be suspended or probated or treated as a first~~
8 ~~offense under § 16-93-301 et seq.~~

9 ~~(c)(1) Except as provided in § 5-73-322, a person in this state shall~~
10 ~~not possess a handgun upon the property of any private institution of higher~~
11 ~~education or a publicly supported institution of higher education in this~~
12 ~~state on or about his or her person, in a vehicle occupied by him or her, or~~
13 ~~otherwise readily available for use with a purpose to employ the handgun as a~~
14 ~~weapon against a person.~~

15 ~~(2) A violation of subdivision (c)(1) of this section is a Class~~
16 ~~D felony.~~

17 ~~(d) "Handgun" means a firearm capable of firing rimfire ammunition or~~
18 ~~centerfire ammunition and designed or constructed to be fired with one (1)~~
19 ~~hand.~~

20 ~~(e) It is permissible to carry a handgun under this section if at the~~
21 ~~time of the act of possessing a handgun or firearm.~~

22 ~~(1) The person is in his or her own dwelling or place of~~
23 ~~business or on property in which he or she has a possessory or proprietary~~
24 ~~interest, except upon the property of a public or private institution of~~
25 ~~higher learning;~~

26 ~~(2) The person is a law enforcement officer, correctional~~
27 ~~officer, member of a municipal fire department bomb squad who is authorized~~
28 ~~to carry a concealed handgun under § 12-15-204, or member of the armed forces~~
29 ~~acting in the course and scope of his or her official duties;~~

30 ~~(3) The person is assisting a law enforcement officer,~~
31 ~~correctional officer, or member of the armed forces acting in the course and~~
32 ~~scope of his or her official duties pursuant to the direction or request of~~
33 ~~the law enforcement officer, correctional officer, or member of the armed~~
34 ~~forces;~~

35 ~~(4) The person is a registered commissioned security guard~~
36 ~~acting in the course and scope of his or her duties;~~

1 ~~(5) The person is hunting game with a handgun or firearm that~~
2 ~~may be hunted with a handgun or firearm under the rules and regulations of~~
3 ~~the Arkansas State Game and Fish Commission or is en route to or from a~~
4 ~~hunting area for the purpose of hunting game with a handgun or firearm;~~

5 ~~(6)(A) The person is a certified law enforcement officer, either~~
6 ~~on duty or off duty.~~

7 ~~(B) If the person is an off-duty law enforcement officer,~~
8 ~~he or she may be required by a public school or publicly supported~~
9 ~~institution of higher education to be in physical possession of a valid~~
10 ~~identification identifying the person as a law enforcement officer;~~

11 ~~(7) The person is on a journey, unless the person is eighteen~~
12 ~~(18) years of age or less;~~

13 ~~(8) The person is participating in a certified hunting safety~~
14 ~~course sponsored by the commission or a firearm safety course recognized and~~
15 ~~approved by the commission or by a state or national nonprofit organization~~
16 ~~qualified and experienced in firearm safety;~~

17 ~~(9) The person is participating in a school-approved educational~~
18 ~~course or sporting activity involving the use of firearms;~~

19 ~~(10) The person is a minor engaged in lawful marksmanship~~
20 ~~competition or practice or other lawful recreational shooting under the~~
21 ~~supervision of his or her parent, legal guardian, or other person twenty-one~~
22 ~~(21) years of age or older standing in loco parentis or is traveling to or~~
23 ~~from a lawful marksmanship competition or practice or other lawful~~
24 ~~recreational shooting with an unloaded handgun or firearm accompanied by his~~
25 ~~or her parent, legal guardian, or other person twenty-one (21) years of age~~
26 ~~or older standing in loco parentis;~~

27 ~~(11) The person has a license to carry a concealed handgun under~~
28 ~~§ 5-73-301 et seq. and is carrying a concealed handgun on the developed~~
29 ~~property of:~~

30 ~~(A) A kindergarten through grade twelve (K-12) private~~
31 ~~school operated by a church or other place of worship that:~~

32 ~~(i) Is located on the developed property of the~~
33 ~~kindergarten through grade twelve (K-12) private school;~~

34 ~~(ii) Allows the person to carry a concealed handgun~~
35 ~~into the church or other place of worship under § 5-73-306; and~~

36 ~~(iii) Allows the person to possess a concealed~~

1 handgun on the developed property of the kindergarten through grade twelve
2 ~~(K-12) private school; or~~

3 ~~(B) A kindergarten through grade twelve (K-12) private~~
4 ~~school or a prekindergarten private school that through its governing board~~
5 ~~or director has set forth the rules and circumstances under which the~~
6 ~~licensee may carry a concealed handgun into a building or event of the~~
7 ~~kindergarten through grade twelve (K-12) private school or the~~
8 ~~prekindergarten private school; or~~

9 ~~(12)(A) The person has a license to carry a concealed handgun~~
10 ~~under § 5-73-301 et seq. and is carrying a concealed handgun in his or her~~
11 ~~motor vehicle or has left the concealed handgun in his or her locked and~~
12 ~~unattended motor vehicle in a publicly owned and maintained parking lot.~~

13 ~~(B)(i) As used in this subdivision (c)(12), "parking lot" means~~
14 ~~a designated area or structure or part of a structure intended for the~~
15 ~~parking of motor vehicles or a designated drop-off zone for children at a~~
16 ~~school.~~

17 ~~(ii) "Parking lot" does not include a parking lot owned,~~
18 ~~maintained, or otherwise controlled by the Division of Correction or Division~~
19 ~~of Community Correction.~~

20
21 SECTION 4. Arkansas Code § 5-73-120 is repealed.

22 ~~5-73-120. Carrying a weapon.~~

23 ~~(a) A person commits the offense of carrying a weapon if he or she~~
24 ~~possesses a handgun, knife, or club on or about his or her person, in a~~
25 ~~vehicle occupied by him or her, or otherwise readily available for use with a~~
26 ~~purpose to attempt to unlawfully employ the handgun, knife, or club as a~~
27 ~~weapon against a person.~~

28 ~~(b) As used in this section:~~

29 ~~(1) "Club" means any instrument that is specially designed,~~
30 ~~made, or adapted for the purpose of inflicting serious physical injury or~~
31 ~~death by striking, including a blackjack, billie, and sap;~~

32 ~~(2) "Handgun" means any firearm with a barrel length of less~~
33 ~~than twelve inches (12") that is designed, made, or adapted to be fired with~~
34 ~~one (1) hand; and~~

35 ~~(3) "Knife" means any bladed hand instrument three inches (3") or~~
36 ~~longer that is capable of inflicting serious physical injury or death by~~

1 ~~cutting or stabbing, including a dirk, a sword or spear in a cane, a razor,~~
2 ~~an ice pick, a throwing star, a switchblade, and a butterfly knife.~~

3 ~~(c) A person is presumed to be carrying a weapon with a lawful purpose~~
4 ~~under this section if at the time of the act of carrying the weapon:~~

5 ~~(1) The person is in his or her own dwelling, in his or her~~
6 ~~personal vehicle, in his or her place of business, or on property in which he~~
7 ~~or she has a possessory or proprietary interest;~~

8 ~~(2) The person is a law enforcement officer, correctional~~
9 ~~officer, member of a municipal fire department bomb squad who is authorized~~
10 ~~to carry a concealed handgun under § 12-15-204, or member of the armed~~
11 ~~forces, acting in the course and scope of his or her official duties;~~

12 ~~(3) The person is assisting a law enforcement officer,~~
13 ~~correctional officer, or member of the armed forces acting in the course and~~
14 ~~scope of his or her official duties pursuant to the direction or request of~~
15 ~~the law enforcement officer, correctional officer, or member of the armed~~
16 ~~forces;~~

17 ~~(4) The person is carrying a weapon when upon a journey, unless~~
18 ~~the journey is through a commercial airport when presenting at the security~~
19 ~~checkpoint in the airport or is in the person's checked baggage and is not a~~
20 ~~lawfully declared weapon;~~

21 ~~(5) The person is a registered commissioned security guard~~
22 ~~acting in the course and scope of his or her duties;~~

23 ~~(6) The person is hunting game with a handgun that may be hunted~~
24 ~~with a handgun under rules and regulations of the Arkansas State Game and~~
25 ~~Fish Commission or is en route to or from a hunting area for the purpose of~~
26 ~~hunting game with a handgun;~~

27 ~~(7)(A) The person is a certified law enforcement officer, either~~
28 ~~on duty or off duty.~~

29 ~~(B) If the person is an off-duty law enforcement officer,~~
30 ~~he or she may be required by a public school or publicly supported~~
31 ~~institution of higher education to be in physical possession of a valid~~
32 ~~identification identifying the person as a law enforcement officer;~~

33 ~~(8) The person is in possession of a concealed handgun and has a~~
34 ~~valid license to carry a concealed handgun under § 5-73-301 et seq., or~~
35 ~~recognized under § 5-73-321 and is not in a prohibited place as defined by §~~
36 ~~5-73-306;~~

~~(9) The person is a prosecuting attorney or deputy prosecuting attorney carrying a firearm under § 16-21-147;~~

~~(10) The person is in possession of a handgun and is a retired law enforcement officer with a valid concealed carry authorization issued under federal or state law;~~

~~(11) The person is in possession of a concealed handgun and is a current or former district court judge, circuit court judge, Court of Appeals judge, or Supreme Court justice, with a valid license to carry a concealed handgun under § 5-73-301 et seq.; or~~

~~(12) The person:~~

~~(A) Is an employee of the Department of Corrections;~~

~~(B) Is in his or her personal vehicle in a parking lot owned or operated by the department;~~

~~(C) Has stored the weapon in a locked storage container that is attached to his or her personal vehicle; and~~

~~(D) Has declared in writing to the department his or her intent to carry a weapon and received approval to carry a weapon under this subdivision (c)(12) in writing from the Secretary of the Department of Corrections or his or her designee.~~

~~(d) Carrying a weapon is a Class A misdemeanor.~~

SECTION 5. Arkansas Code § 5-73-122 is repealed.

~~5-73-122. Carrying a firearm in publicly owned buildings or facilities.~~

~~(a)(1) Except as provided in § 5-73-322, § 5-73-306(5), § 16-21-147, and this section, it is unlawful for a person other than a law enforcement officer, either on duty or off duty, a security guard in the employ of the state or an agency of the state or any city or county, a member of a municipal fire department bomb squad who is authorized to carry a concealed handgun under § 12-15-204, or any state or federal military personnel, to knowingly carry or possess a loaded firearm or other deadly weapon in any publicly owned building or facility or on the State Capitol grounds.~~

~~(2) It is unlawful for any person other than a law enforcement officer, either on duty or off duty, a security guard in the employ of the state or an agency of the state or any city or county, a member of a municipal fire department bomb squad who is authorized to carry a concealed handgun under § 12-15-204, or any state or federal military personnel, to~~

1 knowingly carry or possess a firearm, whether loaded or unloaded, in the
2 State Capitol Building or the Arkansas Justice Building in Little Rock.

3 ~~(3) However, this subsection does not apply to a person carrying~~
4 ~~or possessing a firearm or other deadly weapon in a publicly owned building~~
5 ~~or facility or on the State Capitol grounds.~~

6 ~~(A) For the purpose of participating in a shooting match~~
7 ~~or target practice under the auspices of the agency responsible for the~~
8 ~~publicly owned building or facility or State Capitol grounds.~~

9 ~~(B) If necessary to participate in a trade show, exhibit,~~
10 ~~or educational course conducted in the publicly owned building or facility or~~
11 ~~on the State Capitol grounds.~~

12 ~~(C)(i) If the person has a license to carry a concealed~~
13 ~~handgun under § 5-73-301 et seq. and is carrying a concealed handgun in his~~
14 ~~or her motor vehicle or has left the concealed handgun in his or her locked~~
15 ~~and unattended motor vehicle in a publicly owned and maintained parking lot.~~

16 ~~(ii)(a) As used in this subdivision (a)(3)(C),~~
17 ~~“parking lot” means a designated area or structure or part of a structure~~
18 ~~intended for the parking of motor vehicles or a designated drop-off zone for~~
19 ~~children at school.~~

20 ~~(b) “Parking lot” does not include a parking~~
21 ~~lot owned, maintained, or otherwise controlled by:~~

22 ~~(1) The Division of Correction;~~

23 ~~(2) The Division of Community~~
24 ~~Correction; or~~

25 ~~(3) A residential treatment facility~~
26 ~~owned or operated by the Division of Youth Services;~~

27 ~~(D) If the person has completed the required training and~~
28 ~~received a concealed carry endorsement under § 5-73-322(g) and the place is~~
29 ~~not:~~

30 ~~(i) A courtroom or the location of an administrative~~
31 ~~hearing conducted by a state agency, except as permitted by § 5-73-306(5) or~~
32 ~~§ 5-73-306(6);~~

33 ~~(ii) A public school kindergarten through grade~~
34 ~~twelve (K-12), a public prekindergarten, or a public daycare facility, except~~
35 ~~as permitted under subdivision (a)(3)(C) of this section;~~

36 ~~(iii) A facility operated by the Division of~~

~~Correction or the Division of Community Correction; or~~

~~(iv) A posted firearm sensitive area, as approved by the Division of Arkansas State Police under § 5-73-325, located at:~~

~~(a) The Arkansas State Hospital;~~

~~(b) The University of Arkansas for Medical Sciences; or~~

~~(c) A collegiate athletic event;~~

~~(E) If the person has a license to carry a concealed handgun under § 5-73-301 et seq., is a justice of the Supreme Court or a judge on the Court of Appeals, and is carrying a concealed handgun in the Arkansas Justice Building; or~~

~~(F) If the person has a license to carry a concealed handgun under § 5-73-301 et seq. and is carrying a concealed handgun in a municipally owned or maintained park, or another similar municipally owned or maintained recreational property, except for those portions of a municipally owned or maintained park or recreational property that contain a:~~

~~(i) Football field, baseball field, soccer field, or other sports field where an athletic event or practice is occurring at the time;~~

~~(ii) Municipally owned or maintained building; or~~

~~(iii) Leased area to be used for a special event.~~

~~(4) As used in this section, "facility" does not mean a municipally owned or maintained park, football field, baseball field, soccer field, or another similar municipally owned or maintained recreational structure or property.~~

~~(b) However, a law enforcement officer, either on duty or off duty, officer of the court, bailiff, or other person authorized by the court is permitted to possess a handgun in the courtroom of any court or a courthouse of this state.~~

~~(c) A person violating this section upon conviction is guilty of a Class C misdemeanor.~~

~~(d) An off-duty law enforcement officer carrying a firearm in a publicly owned building or facility may be required to be in physical possession of a valid identification identifying the person as a law enforcement officer.~~

~~(e) An off-duty law enforcement officer may not carry a firearm into a~~

1 ~~courtroom if the off-duty law enforcement officer is a party to or a witness~~
2 ~~in a civil or criminal matter unless the law provides otherwise.~~

3
4 SECTION 6. Arkansas Code Title 5, Chapter 73, Subchapter 1, is amended
5 to add an additional section to read as follows:

6 5-73-134. Carrying a weapon.

7 (a) A person commits the offense of carrying a weapon if he or she
8 possesses a handgun, knife, or club on or about his or her person, in a
9 vehicle occupied by him or her, or otherwise readily available for use with a
10 purpose to unlawfully employ the handgun, knife, or club as a weapon against
11 a person.

12 (b) As used in this section:

13 (1) "Club" means any instrument that is specially designed,
14 made, or adapted for the purpose of inflicting serious physical injury or
15 death by striking, including without limitation a blackjack, billie, or sap;

16 (2) "Handgun" means any firearm with a barrel length of less
17 than twelve inches (12") that is designed, made, or adapted to be fired with
18 one (1) hand; and

19 (3) "Knife" means any bladed hand instrument three inches (3") or
20 longer that is capable of inflicting serious physical injury or death by
21 cutting or stabbing, including without limitation:

22 (A) A dirk;

23 (B) A sword or spear in a cane;

24 (C) A razor;

25 (D) An ice pick;

26 (E) A throwing star;

27 (F) A switchblade; or

28 (G) A butterfly knife.

29 (c) A person is presumed to be carrying a weapon with a lawful purpose
30 under this section if at the time of the act of carrying the weapon the
31 person is:

32 (1) In his or her own dwelling;

33 (2) In his or her personal vehicle;

34 (3) On a journey;

35 (4) In his or her place of business; or

36 (5) On property in which he or she has a possessory or

1 proprietary interest.

2 (d) Carrying a weapon is a Class A misdemeanor.

3
4 SECTION 7. Arkansas Code § 5-73-304(c), concerning exemptions from the
5 licensing requirements for carrying a concealed handgun for local detention
6 facility employees, is amended to read as follows:

7 (c) The authorization prescribed in subsection (b) of this section
8 shall be carried on the person of the employee of a local detention facility
9 and be produced upon demand at the request of any law enforcement officer or
10 owner or operator of any of the prohibited places as set out in ~~§ 5-73-306 §§~~
11 5-73-504 and 5-73-601.

12
13 SECTION 8. Arkansas Code § 5-73-306 is repealed.

14 ~~5-73-306. Prohibited places.~~

15 ~~Except as permitted under § 5-73-322(g), a license to carry a concealed~~
16 ~~handgun issued under this subchapter does not authorize a person to carry a~~
17 ~~concealed handgun into:~~

18 ~~(1) Any police station, sheriff's station, or Division of~~
19 ~~Arkansas State Police station;~~

20 ~~(2) An Arkansas Highway Police Division of the Arkansas~~
21 ~~Department of Transportation facility;~~

22 ~~(3) [Repealed.]~~

23 ~~(4) Any part of a detention facility, prison, jail, or~~
24 ~~residential treatment facility owned or operated by the Division of Youth~~
25 ~~Services, including without limitation a parking lot owned, maintained, or~~
26 ~~otherwise controlled by:~~

27 ~~(A) The Division of Correction;~~

28 ~~(B) The Division of Community Correction; or~~

29 ~~(C) A residential treatment facility owned or operated by~~
30 ~~the Division of Youth Services;~~

31 ~~(5) Any courthouse, courthouse annex, or other building owned,~~
32 ~~leased, or regularly used by a county for conducting court proceedings or~~
33 ~~housing a county office unless:~~

34 ~~(A) The licensee is:~~

35 ~~(i) Employed by the county;~~

36 ~~(ii) A countywide elected official;~~

1 ~~(iii) A justice of the peace; or~~

2 ~~(iv)(a) Employed by a governmental entity~~
3 ~~other than the county with an office or place of employment inside the~~
4 ~~courthouse, the courthouse annex, or other building owned, leased, or~~
5 ~~regularly used by the county for conducting court proceedings or housing a~~
6 ~~county office.~~

7 ~~(b) A licensee is limited to carrying a~~
8 ~~concealed handgun under subdivision (5)(A)(iv)(a) of this section into the~~
9 ~~courthouse, courthouse annex, or other building owned, leased, or regularly~~
10 ~~used by the county for conducting court proceedings or housing a county~~
11 ~~office where the office or place of employment of the governmental entity~~
12 ~~that employs him or her is located;~~

13 ~~(B) The licensee's principal place of employment is within~~
14 ~~the courthouse, the courthouse annex, or other building owned, leased, or~~
15 ~~regularly used by the county for conducting court proceedings or housing a~~
16 ~~county office; and~~

17 ~~(C) The quorum court by ordinance approves a plan that~~
18 ~~allows licensees permitted under this subdivision (5) to carry a concealed~~
19 ~~handgun into the courthouse, courthouse annex, or other building owned,~~
20 ~~leased, or regularly used by a county for conducting court proceedings as set~~
21 ~~out by the local security and emergency preparedness plan;~~

22 ~~(6)(A) Any courtroom.~~

23 ~~(B) However, nothing in this subchapter precludes a judge~~
24 ~~from carrying a concealed weapon or determining who will carry a concealed~~
25 ~~weapon into his or her courtroom;~~

26 ~~(7) Any meeting place of the governing body of any governmental~~
27 ~~entity;~~

28 ~~(8) Any meeting of the General Assembly or a committee of the~~
29 ~~General Assembly;~~

30 ~~(9) Any state office;~~

31 ~~(10) Any athletic event not related to firearms;~~

32 ~~(11)(A) A portion of an establishment, except a restaurant~~
33 ~~as defined in § 3-5-1202, licensed to dispense alcoholic beverages for~~
34 ~~consumption on the premises.~~

35 ~~(B) A person with a concealed carry endorsement under § 5-~~
36 ~~73-322(g) and who is carrying a concealed handgun may not enter an~~

~~establishment under this section if the establishment either places a written notice as permitted under subdivision (18) of this section or provides notice under subdivision (19) of this section prohibiting a person with a license to possess a concealed handgun at the physical location;~~

~~(12)(A) A portion of an establishment, except a restaurant as defined in § 3-5-1202, where beer or light wine is consumed on the premises.~~

~~(B) A person with a concealed carry endorsement under § 5-73-322(g) and who is carrying a concealed handgun may not enter an establishment under this section if the establishment either places a written notice as permitted under subdivision (18) of this section or provides notice under subdivision (19) of this section prohibiting a person with a license to possess a concealed handgun at the physical location;~~

~~(13)(A) A school, college, community college, or university campus building or event.~~

~~(B) However, subdivision (13)(A) of this section does not apply to:~~

~~(i) A kindergarten through grade twelve (K-12) private school operated by a church or other place of worship that:~~

~~(a) Is located on the developed property of the kindergarten through grade twelve (K-12) private school;~~

~~(b) Allows the licensee to carry a concealed handgun into the church or other place of worship under this section; and~~

~~(c) Allows the licensee to possess a concealed handgun on the developed property of the kindergarten through grade twelve (K-12) private school under § 5-73-119(e);~~

~~(ii) A kindergarten through grade twelve (K-12) private school or a prekindergarten private school that through its governing board or director has set forth the rules and circumstances under which the licensee may carry a concealed handgun into a building or event of the kindergarten through grade twelve (K-12) private school or the prekindergarten private school;~~

~~(iii) Participation in an authorized firearms-related activity;~~

~~(iv) Carrying a concealed handgun as authorized under § 5-73-322; or~~

1 ~~(v) A publicly owned and maintained parking lot of a~~
2 ~~college, community college, or university if the licensee is carrying a~~
3 ~~concealed handgun in his or her motor vehicle or has left the concealed~~
4 ~~handgun in his or her locked and unattended motor vehicle;~~

5 ~~(14) Inside the passenger terminal of any airport, except that no~~
6 ~~person is prohibited from carrying any legal firearm into the passenger~~
7 ~~terminal if the firearm is encased for shipment for purposes of checking the~~
8 ~~firearm as baggage to be lawfully transported on any aircraft;~~

9 ~~(15)(A) Any church or other place of worship.~~

10 ~~(B) However, this subchapter does not preclude a church or~~
11 ~~other place of worship from determining who may carry a concealed handgun~~
12 ~~into the church or other place of worship.~~

13 ~~(C) A person with a concealed carry endorsement under § 5-~~
14 ~~73-322(g) and who is carrying a concealed handgun may not enter a church or~~
15 ~~other place of worship under this section if the church or other place of~~
16 ~~worship either places a written notice as permitted under subdivision (18) of~~
17 ~~this section or provides notice under subdivision (19) of this section~~
18 ~~prohibiting a person with a license to possess a concealed handgun at the~~
19 ~~physical location;~~

20 ~~(16) Any place where the carrying of a firearm is prohibited by~~
21 ~~federal law;~~

22 ~~(17) Any place where a parade or demonstration requiring a permit~~
23 ~~is being held, and the licensee is a participant in the parade or~~
24 ~~demonstration;~~

25 ~~(18)(A)(i) Any place at the discretion of the person or~~
26 ~~entity exercising control over the physical location of the place by placing~~
27 ~~at each entrance to the place a written notice clearly readable at a distance~~
28 ~~of not less than ten feet (10') that "carrying a handgun is prohibited".~~

29 ~~(ii)(a) If the place does not have a roadway~~
30 ~~entrance, there shall be a written notice placed anywhere upon the premises~~
31 ~~of the place.~~

32 ~~(b) In addition to the requirement of~~
33 ~~subdivision (18)(A)(ii)(a) of this section, there shall be at least one (1)~~
34 ~~written notice posted within every three (3) acres of a place with no roadway~~
35 ~~entrance.~~

36 ~~(iii) A written notice as described in subdivision~~

~~(18)(A)(i) of this section is not required for a private home.~~

~~(iv) Any licensee entering a private home shall notify the occupant that the licensee is carrying a concealed handgun.~~

~~(B) Subdivision (18)(A) of this section does not apply if the place is:~~

~~(i) A public university, public college, or community college, as defined in § 5-73-322, and the licensee is carrying a concealed handgun as provided under § 5-73-322;~~

~~(ii) A publicly owned and maintained parking lot if the licensee is carrying a concealed handgun in his or her motor vehicle or has left the concealed handgun in his or her locked and unattended motor vehicle;~~

~~(iii) A parking lot of a private employer and the person is carrying a handgun as provided under § 11-5-117; or~~

~~(iv) A place owned, controlled, or operated by a local unit of government as defined in § 14-16-504 if the licensee is carrying a concealed handgun as provided under § 5-73-322(g) and (h), unless the place is listed in § 5-73-122(a)(3)(D)(i)-(iv) or the place is a part of a building licensed to dispense alcoholic beverages for consumption on the premises.~~

~~(C) The person or entity exercising control over the physical location of a place that does not use his, her, or its authority under this subdivision (18) to prohibit a person from possessing a concealed handgun is immune from a claim for monetary damages arising from or related to the decision not to place at each entrance to the place a written notice under this subdivision (18);~~

~~(19)(A)(i) A place owned or operated by a private entity that prohibits the carrying of a concealed handgun that posts a written notice as described under subdivision (18)(A) of this section.~~

~~(ii)(a) A place owned or operated by a private entity that chooses not to post a written notice as described under subdivision (18)(A) of this section may provide written or verbal notification to a licensee who is carrying a concealed handgun at the place owned or operated by a private entity that carrying of a concealed handgun is prohibited.~~

~~(b) A licensee who receives written or verbal~~

~~notification under subdivision (19)(A)(ii)(a) of this section is deemed to have violated this subdivision (19) if the licensee while carrying a concealed handgun either remains at or returns to the place owned or operated by the private entity.~~

~~(B) A place owned or operated by a private entity under this subdivision (19) includes without limitation:~~

~~(i) A private university or private college;~~

~~(ii) A church or other place of worship;~~

~~(iii) An establishment, except a restaurant as defined in § 3-5-1202, licensed to dispense alcoholic beverages for consumption on the premises; and~~

~~(iv) An establishment, except a restaurant as defined in § 3-5-1202, where beer or light wine is consumed on the premises; or~~

~~(20) A posted firearm-sensitive area, as approved by the Division of Arkansas State Police under § 5-73-325, located at:~~

~~(A) The Arkansas State Hospital;~~

~~(B) The University of Arkansas for Medical Sciences; or~~

~~(C) A collegiate athletic event.~~

SECTION 9. Arkansas Code § 5-73-322 is amended to read as follows:

5-73-322. Concealed handguns in a university, college, or community college building.

(a)(1) As used in this section, "public university, public college, or community college" means an institution that:

(A) Regularly receives budgetary support from the state government;

(B) Is part of the University of Arkansas or Arkansas State University systems; or

(C) Is required to report to the Arkansas Higher Education Coordinating Board.

(2) "Public university, public college, or community college" includes without limitation a public technical institute.

(3) "Public university, public college, or community college" does not include a private university or private college solely because:

(A) Students attending the private university or private college receive state-supported scholarships; or

1 (B) The private university or private college voluntarily
2 reports to the board.

3 (b) A licensee ~~who has completed the training required under subsection~~
4 ~~(g) of this section~~ may possess a concealed handgun in the buildings and on
5 the grounds of a public university, public college, or community college,
6 whether owned or leased by the public university, public college, or
7 community college, unless otherwise prohibited by this section or § ~~5-73-306~~
8 5-73-601.

9 (c)(1) A licensee may possess a concealed handgun in the buildings and
10 on the grounds of a private university or private college unless otherwise
11 prohibited by this section or § ~~5-73-306~~ 5-73-601 if the private university
12 or private college does not adopt a policy expressly disallowing the carrying
13 of a concealed handgun in the buildings and on the grounds of the private
14 university or private college.

15 (2)(A) A private university or private college that adopts a
16 policy expressly disallowing the carrying of a concealed handgun in the
17 buildings and on the grounds of the private university or private college
18 shall post notices as described in § ~~5-73-306(18)~~ 5-73-601.

19 (B) A private university or private college that adopts a
20 policy only allowing carrying of a concealed handgun under this section shall
21 post notices as described in § ~~5-73-306(18)~~ 5-73-601 and subdivision
22 (c)(2)(C) of this section.

23 (C) If a private university or private college permits
24 carrying a concealed handgun under this section, the private university or
25 private college may revise any sign or notice required to be posted under §
26 ~~5-73-306(18)~~ 5-73-601 to indicate that carrying a concealed handgun under
27 this section is permitted.

28 (d) The storage of a handgun in a university or college-operated
29 student dormitory or residence hall is prohibited ~~under § 5-73-119(e)~~.

30 (e)(1) A licensee who may carry a concealed handgun in the buildings
31 and on the grounds of a public university, public college, or community
32 college under this section may not carry a concealed handgun into a location
33 in which an official meeting lasting no more than nine (9) hours is being
34 conducted in accordance with documented grievance and disciplinary procedures
35 as established by the public university, public college, or community college
36 if:

(A) At least twenty-four (24) hours' notice is given to participants of the official meeting;

(B) Notice is posted on the door of or each entryway into the location in which the official meeting is being conducted that possession of a concealed handgun by a licensee under this section is prohibited during the official meeting; and

(C) The area of a building prohibited under this subdivision (e)(1) is no larger than necessary to complete the grievance or disciplinary meeting.

(2) A person who knowingly violates subdivision (e)(1) of this section upon conviction is guilty of:

(A) A violation for a first offense and subject to a fine not exceeding one hundred dollars (\$100); and

(B) A Class C misdemeanor for a second or subsequent offense.

(f) This section does not affect a licensee's ability to store a concealed handgun in his or her vehicle under § ~~5-73-306(13)(B)(v)~~ 5-73-603.

~~(g)(1) A licensee who intends to carry a concealed handgun in the buildings and on the grounds of a public university, public college, or community college is required to complete a training course approved by the Director of the Division of Arkansas State Police.~~

~~(2)(A) Training required under this subsection shall:~~

- ~~(i) Not be required to be renewed;~~
- ~~(ii) Consist of a course of up to eight (8) hours;~~
- ~~(iii) Be offered at the training instructor's option at concealed carry training courses; and~~

~~(iv) Cost no more than a nominal amount.~~

~~(B) The director may waive up to four (4) hours of the training required under this subsection for a licensee based on the licensee's prior training attended within ten (10) years of applying for the endorsement provided for under subdivision (g)(3) of this section on appropriate topics.~~

~~(3) A licensee who completes a training course under this subsection shall be given a concealed carry endorsement by the Division of Arkansas State Police on his or her license to carry a concealed handgun indicating that the person is permitted to possess and carry a concealed~~

1 handgun in the buildings and on the grounds of a public university, public
2 college, or community college.

3 ~~(h) A licensee who completes a training course and obtains a concealed~~
4 ~~carry endorsement under subsection (g) of this section is exempted from the~~
5 ~~prohibitions and restrictions on:~~

6 ~~(1) Carrying a firearm in a publicly owned building or facility~~
7 ~~under § 5-73-122, if the firearm is a concealed handgun; and~~

8 ~~(2) Carrying a concealed handgun in a prohibited place listed~~
9 ~~under § 5-73-306(7) (12), (14), (15), and (17), unless otherwise prohibited~~
10 ~~under § 5-73-306(19) or § 5-73-306(20).~~

11 ~~(i) The division shall maintain a list of licensees who have~~
12 ~~successfully completed a training course under subsection (g) of this~~
13 ~~section.~~

14 ~~(j)-(1)(g)(1)~~ Unless possession of a concealed handgun is a requirement
15 of a licensee's job description, the possession of a concealed handgun under
16 this section is a personal choice made by the licensee and not a requirement
17 of the employing public university, public college, or community college.

18 (2) A licensee who possesses a concealed handgun in the
19 buildings and on the grounds of a public university, public college, or
20 community college at which the licensee is employed is not:

21 (A) Acting in the course of or scope of his or her
22 employment when possessing or using a concealed handgun;

23 (B) Entitled to worker's compensation benefits for
24 injuries arising from his or her own negligent acts in possessing or using a
25 concealed handgun;

26 (C) Immune from personal liability with respect to
27 possession or use of a concealed handgun; or

28 (D) Permitted to carry a concealed handgun openly or in
29 any other manner in which the concealed handgun is visible to ordinary
30 observation.

31 (3) A public university, public college, or community college is
32 immune from a claim for monetary damages arising from or related to a
33 licensee's use of, or failure to use, a concealed handgun if the licensee
34 elects to possess a concealed handgun under this section.

35
36 SECTION 10. Arkansas Code § 5-73-323 is repealed.

~~5-73-323. Post Prison Transfer Board exemptions.~~

~~A member of the Post Prison Transfer Board, a board investigator, or a revocation hearing judge who has been issued a license to carry a concealed handgun by the Division of Arkansas State Police under this subchapter may carry his or her concealed handgun into a building in which or a location on which a law enforcement officer may carry a handgun if the board member, board investigator, or revocation hearing judge is on official business of the board.~~

SECTION 11. Arkansas Code § 5-73-324(b), concerning the infringement of firearm rights by rules of the Division of Arkansas State Police, is amended to read as follows:

(b) The Division of Arkansas State Police shall not promulgate any rule and shall amend any existing rule that would result in a licensee having his or her license to carry a concealed handgun suspended or revoked solely because he or she possessed a handgun and the possession was not in violation of any criminal offense ~~or § 5-73-306~~, § 5-73-504, or § 5-73-601.

SECTION 12. Arkansas Code § 5-73-328 is repealed.

~~5-73-328. Board of Corrections exemption.~~

~~A member of the Board of Corrections who is a licensee may carry his or her concealed handgun into a building in which or a location on which a law enforcement officer may carry a concealed handgun.~~

SECTION 13. Arkansas Code Title 5, Chapter 73, is amended to add additional subchapters to read as follows:

Subchapter 5 – Carrying a Concealed Handgun Without a License

5-73-501. Definition.

As used in this subchapter, “minor” means any person under eighteen (18) years of age.

5-73-502. Prohibition on minors possessing handguns.

(a) A minor in this state shall not possess a handgun.

(b)(1) Except as provided in subdivision (b)(2) of this section, a violation of this section is a Class A misdemeanor.

1 (2) A violation of this section is a Class D felony if the minor
2 has previously:

3 (A) Been adjudicated delinquent for a violation of this
4 section or a violation under former § 5-73-119(a) as it existed on January 1,
5 2025;

6 (B) Been adjudicated delinquent for any offense that would
7 be a felony if committed by an adult; or

8 (C) Pleaded guilty or nolo contendere to or been found
9 guilty of a felony in circuit court.

10
11 5-73-503. Persons who may carry a handgun without a license.

12 Except as provided in § 5-73-504, a person who is not a minor and who
13 is not otherwise prohibited from possessing a firearm under state law may
14 carry a handgun, whether openly or concealed, in this state without obtaining
15 a license under § 5-73-301 et seq., including without limitation:

16 (1) In his or her home;

17 (2) Around the curtilage of his or her home; or

18 (3) On a journey, as defined in § 5-73-101, away from home.

19
20 5-73-504. Places a person without a license is prohibited from
21 carrying.

22 (a) A person who does not have a license to carry a concealed handgun
23 shall not knowingly carry a firearm:

24 (1)(A) In or on the following education-related property:

25 (i) On the school facilities, whether owned or
26 leased, of a public or private school kindergarten through grade twelve (K-
27 12);

28 (ii) On the school facilities, whether owned or
29 leased, of a public or private school prekindergarten (Pre-K);

30 (iii) Inside a school bus; or

31 (iv) On the school facilities, whether owned or
32 leased, of any institution of higher education.

33 (B) The prohibitions in subdivision (a)(1)(A) of this
34 section do not apply if, at the time of possession of the firearm, the person
35 is:

36 (i) Participating in a certified hunting safety

1 course sponsored by the Arkansas State Game and Fish Commission or a firearm
2 safety course recognized and approved by the commission or by a state or
3 national nonprofit organization qualified and experienced in firearm safety;

4 (ii) Participating in a school-approved educational
5 course or sporting activity involving the use of firearms; or

6 (iii) A minor engaged in a lawful marksmanship
7 competition or practice or other lawful recreational shooting under the
8 supervision of his or her parent, legal guardian, or other person twenty-one
9 (21) years of age or older standing in loco parentis or is traveling to or
10 from a lawful marksmanship competition or practice or other lawful
11 recreational shooting with an unloaded firearm accompanied by his or her
12 parent, legal guardian, or other person twenty-one (21) years of age or older
13 standing in loco parentis;

14 (2)(A) Into buildings that are owned or operated by a municipal,
15 county, or state government.

16 (B) The prohibitions in subdivision (a)(2)(A) of this
17 section do not apply if, at the time of possession of the firearm, the person
18 is at a highway rest area;

19 (3) Into the State Capitol Building;

20 (4) At any meeting of the General Assembly or a committee of the
21 General Assembly;

22 (5) At any meeting place of the governing body of any
23 governmental entity;

24 (6) Into a portion of an establishment, except a restaurant as
25 defined in § 3-5-1202, licensed to dispense alcoholic beverages for
26 consumption on the premises, or where beer or light wine is consumed on the
27 premises;

28 (7) Inside the passenger terminal of an airport, except that no
29 person is prohibited from carrying any legal firearm into the passenger
30 terminal if the firearm is encased for shipment for purposes of checking the
31 firearm as baggage to be lawfully transported on an aircraft; or

32 (8)(A) Into a place owned or operated by a person or private
33 entity that prohibits the carrying of a firearm by:

34 (i)(a) Placing at each entrance to the place a
35 written notice clearly readable at a distance of not less than ten feet (10')
36 that carrying a firearm is prohibited.

1 (b) If the place does not have a roadway
2 entrance, the written notice shall be placed anywhere upon the premises of
3 the place, and at least one (1) written notice shall be posted within every
4 three (3) acres of a place with no roadway entrance; or

5 (ii) Providing spoken notice to a person who is
6 carrying a firearm at the place owned or operated by a person or private
7 entity that carrying a firearm is prohibited.

8 (B) A person violates subdivision (a)(8)(A) of this
9 section if, after having received the written or spoken notice, he or she:

10 (i) Is carrying a firearm; and

11 (ii) Remains at or returns to the place owned or
12 operated by the person or private entity.

13 (C) The person or entity that exercises control over the
14 physical location of a place and that chooses not to exercise his, her, or
15 its authority under subdivision (a)(8)(A) of this section to prohibit a
16 person from carrying a firearm is immune from a claim for monetary damages
17 arising from or related to the decision not to exercise that authority.

18 (D) Subdivision (a)(8)(A) of this section does not apply
19 to the parking lot of a private employer if a person possesses a firearm as
20 provided under § 11-5-117.

21 (b) A person who violates subsection (a) of this section upon
22 conviction is guilty of a:

23 (1) Class D felony, for a violation of subdivision (a)(1) of
24 this section;

25 (2) Class C misdemeanor, for a violation of subdivision (a)(2)
26 or (a)(3) of this section; or

27 (3) Violation, for a violation of subdivision (a)(4), (a)(5),
28 (a)(6), (a)(7), or (a)(8) of this section, and imposition of a fine of up to
29 one thousand dollars (\$1,000) per violation.

30
31 5-73-505. Exemptions – Persons who may carry a handgun in certain
32 prohibited places.

33 The prohibitions in § 5-73-504 do not apply to:

34 (1)(A) A law enforcement officer or other official who is
35 permitted to carry a concealed handgun under § 12-15-201 et seq.

36 (B) However, an off-duty law enforcement officer or other

1 official who is permitted to carry a concealed handgun under § 12-15-201 et
2 seq. may be required to be in physical possession of a valid identification
3 identifying the person as a law enforcement officer or other official who is
4 permitted to carry a concealed handgun under § 12-15-201 et seq.;

5 (2) A commissioned security officer or commissioned school
6 security officer acting in the course and scope of his or her duties;

7 (3) A person who is assisting a law enforcement officer or
8 correctional officer, acting in the course and scope of his or her official
9 duties, pursuant to the direction or request of the law enforcement officer
10 or correctional officer;

11 (4) A law enforcement officer, either on-duty or off-duty,
12 officer of the court, bailiff, or other person authorized by the court to
13 possess a handgun in the courtroom of any court or a courthouse of this
14 state; and

15 (5) A member of the General Assembly, the Governor, Lieutenant
16 Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney
17 General, or Commissioner of State Lands carrying a handgun onto the State
18 Capitol grounds, into the State Capitol Building, into a meeting of the
19 General Assembly or of a committee of the General Assembly, or into the
20 Multi-Agency Complex.

21
22 Subchapter 6 – Carrying a Concealed Handgun With a License
23

24 5-73-601. Places a licensee is prohibited from carrying a handgun –
25 Definition.

26 (a) As used in this subchapter, "licensee" means the same as defined
27 in § 5-73-301.

28 (b) It is unlawful for a licensee to knowingly carry a concealed
29 handgun in the following locations:

30 (1) On the school facilities, whether owned or leased, of a
31 public school kindergarten through grade twelve (K-12) or of a public school
32 prekindergarten (Pre-K);

33 (2) Inside a school bus;

34 (3)(A) On the school facilities, whether owned or leased, of a
35 private school kindergarten through grade twelve (K-12), unless the private
36 school kindergarten through grade twelve (K-12) allows the licensee to carry

1 a concealed handgun on the school facilities of the private school
2 kindergarten through grade twelve (K-12).

3 (B) If a private school kindergarten through grade twelve
4 (K-12) allows a licensee to carry a concealed handgun on the school
5 facilities of the private school kindergarten through grade twelve (K-12)
6 under subdivision (b)(3)(A) of this section, the licensee shall comply with
7 the rules established by the private school kindergarten through grade twelve
8 (K-12);

9 (4) Into any police station, county sheriff's station, or
10 Division of Arkansas State Police station;

11 (5) Into an Arkansas Highway Police Division of the Arkansas
12 Department of Transportation facility;

13 (6) Into any part, including a parking lot, of a:

14 (A) Detention facility, prison, or jail; or

15 (B) Residential treatment facility owned or operated by
16 the Division of Youth Services;

17 (7) Into any courthouse, courthouse annex, or other building
18 owned, leased, or regularly used by a county for conducting court
19 proceedings, or any courtroom, except that a law enforcement officer, either
20 on-duty or off-duty, officer of the court, bailiff, or other person
21 authorized by the court is permitted to possess a handgun in the courtroom of
22 any court, a courthouse of this state, courthouse annex, or other building
23 owned, leased, or regularly used by a county for conducting court
24 proceedings;

25 (8) Into a posted firearm-sensitive area, as approved by the
26 Division of Arkansas State Police under § 5-73-325, located at:

27 (A) The Arkansas State Hospital;

28 (B) The University of Arkansas for Medical Sciences; or

29 (C) A collegiate athletic event; and

30 (9)(A) Into a place owned or operated by a person or private
31 entity, or any place licensed to dispense alcoholic beverages for public
32 consumption, that prohibits the carrying of a firearm by:

33 (i)(a) Placing at each entrance to the place a
34 written notice clearly readable at a distance of not less than ten feet (10')
35 that carrying a firearm is prohibited.

36 (b) If the place does not have a roadway

entrance, the written notice shall be placed anywhere upon the premises of the place, and at least one (1) written notice shall be posted within every three (3) acres of a place with no roadway entrance; or

(ii) Providing spoken notice to a person who is carrying a firearm at the place owned or operated by a person or private entity that carrying a firearm is prohibited.

(B) A person violates subdivision (b)(9)(A) of this section if, after having received written or spoken notice under subdivision (b)(9)(A) of this section, he or she:

(i) Is carrying a firearm; and

(ii) Remains at or returns to the place owned or operated by the person or private entity.

(C) The person or entity that exercises control over the physical location of a place and that chooses not to exercise his, her, or its authority under this subdivision (b)(9)(A) of this section to prohibit a person from carrying a firearm is immune from a claim for monetary damages arising from or related to the decision not to exercise that authority.

(D) Subdivision (b)(9)(A) of this section does not apply to the parking lot of a private employer if a person possesses a firearm as provided under § 11-5-117.

(c) A person who violates subsection (b) of this section upon conviction is guilty of a:

(1) Class D felony, for a violation of subdivision (b)(1), (b)(2), or (b)(3) of this section;

(2) Class C misdemeanor, for a violation of subdivision (b)(4), (b)(5), (b)(6), (b)(7), or (b)(8) of this section; or

(3) Violation, for a violation of subdivision (b)(9) of this section, and imposition of a fine of up to one thousand dollars (\$1,000) per violation.

5-73-602. Exemptions.

(a) Section 5-73-601 does not apply to:

(1)(A) A law enforcement officer or other official who is permitted to carry a concealed handgun under § 12-15-201 et seq.

(B) However, an off-duty law enforcement officer or other official who is permitted to carry a concealed handgun under § 12-15-201 et

1 seq. may be required to be in physical possession of a valid identification
2 identifying the person as a law enforcement officer or other official who is
3 permitted to carry a concealed handgun under § 12-15-201 et seq.;

4 (2) A commissioned security officer or commissioned school
5 security officer acting in the course and scope of his or her duties;

6 (3) A person who is assisting a law enforcement officer or
7 correctional officer, acting in the course and scope of his or her official
8 duties, pursuant to the direction or request of the law enforcement officer
9 or correctional officer;

10 (4) A Justice of the Supreme Court or a Judge of the Court of
11 Appeals, who is carrying a concealed handgun in the Arkansas Justice
12 Building; or

13 (5) A law enforcement officer, either on-duty or off-duty,
14 officer of the court, bailiff, or other person authorized by the court to
15 possess a handgun in the courtroom of any court or a courthouse of this
16 state.

17 (b) The prohibitions in § 5-73-601(b)(1)-(3) do not apply if at the
18 time of the act of possessing a handgun the person is:

19 (1) Traveling to or from a hunting area for the purpose of
20 hunting game and the person keeps the handgun in his or her personal vehicle;
21 or

22 (2) Participating in:

23 (A) A certified hunting safety course sponsored by the
24 Arkansas State Game and Fish Commission;

25 (B) A firearm safety course recognized and approved by the
26 commission or by a state or national nonprofit organization qualified and
27 experienced in firearm safety; or

28 (C) An educational activity that involves the use of
29 weapons at a school and the possession of a concealed handgun has been
30 approved in advance by the school.

31
32 5-73-603. Handgun in motor vehicle.

33 (a) It is not unlawful for a licensee to carry a concealed or
34 unconcealed handgun in his or her motor vehicle or to leave the concealed or
35 unconcealed handgun in his or her locked and unattended motor vehicle in a
36 parking lot.

(b)(1) As used in subsection (a) of this section, “parking lot” means a designated area or structure or part of a structure intended for the parking of motor vehicles or a designated drop-off zone for children at school.

(2) “Parking lot” does not include a parking lot owned, maintained, or otherwise controlled by:

(A) The Department of Corrections; or

(B) A residential treatment facility owned or operated by the Division of Youth Services.

SECTION 14. Arkansas Code § 9-27-303(15), concerning the definition of “delinquent juvenile” in the Arkansas Juvenile Code of 1989, is amended to read as follows:

(15) “Delinquent juvenile” means:

(A) A juvenile ten (10) years old or older who:

(i) Has committed an act other than a traffic offense or game and fish violation that, if the act had been committed by an adult, would subject the adult to prosecution for a felony, misdemeanor, or violation under the applicable criminal laws of this state;

(ii) Has violated § ~~5-73-119~~ 5-73-502; or

(iii) Has violated § 5-71-217(d)(2), cyberbullying of a school employee; or

(B) Any juvenile charged with capital murder, § 5-10-101, or murder in the first degree, § 5-10-102, subject to extended juvenile jurisdiction;

SECTION 15. Arkansas Code § 9-27-309(g)(7), concerning offenses that require a prosecuting attorney to notify a school district when juvenile is adjudicated delinquent, is amended to read as follows:

(7) The unlawful possession of a handgun under § ~~5-73-119~~ 5-73-502.

SECTION 16. Arkansas Code § 9-27-309(i)(1), concerning offenses that require a law enforcement agency to notify a school district when juvenile is arrested, is amended to read as follows:

(i)(1) If a juvenile is arrested for unlawful possession of a firearm

under § ~~5-73-119~~ 5-73-502, an offense involving a deadly weapon under § 5-1-102, or battery in the first degree under § 5-13-201, the arresting agency shall orally notify the superintendent or the designee of the superintendent of the school district to which the juvenile transfers, in which the juvenile is enrolled, or from which the juvenile receives services of the offense for which the juvenile was arrested or detained within twenty-four (24) hours of the arrest or detention or before the next school day, whichever is earlier.

SECTION 17. Arkansas Code § 9-27-313(d)(1)(A), concerning offenses that require a law enforcement agency to take a juvenile to detention, immediately notify the parent or guardian of the juvenile, and notify the juvenile intake officer, are amended to read as follows:

(d)(1)(A) A law enforcement officer shall take a juvenile to detention, immediately make every effort to notify the custodial parent, guardian, or custodian of the juvenile's location, and notify the juvenile intake officer within twenty-four (24) hours so that a petition may be filed if a juvenile is taken into custody for:

(i) Unlawful possession of a handgun, § ~~5-73-119(a)(1)~~ 5-73-502;

(ii) Possession of a handgun on school property, § ~~5-73-119(b)(1)~~ 5-73-504(a)(1);

(iii) Unlawful discharge of a firearm from a vehicle, § 5-74-107;

(iv) Any felony committed while armed with a firearm; or

(v) Criminal use of prohibited weapons, § 5-73-104.

SECTION 18. Arkansas Code § 9-27-318(b)(1)(C), concerning offenses involving a juvenile fourteen (14) or fifteen (15) years of age that permit a prosecuting attorney to file a motion in the juvenile division of circuit court to transfer a case to the criminal division of circuit court or to designate a juvenile as an extended juvenile jurisdiction offender, is amended to read as follows:

(C) Possession of a handgun on school property, § ~~5-73-119(b)(1)(A)~~ 5-73-504(a)(1);

1 SECTION 19. Arkansas Code § 9-27-318(b)(2), concerning offenses
2 involving a juvenile at least fourteen (14) years of age that permit a
3 prosecuting attorney to file a motion in the juvenile division of circuit
4 court to transfer a case to the criminal division of circuit court or to
5 designate a juvenile as an extended juvenile jurisdiction offender, is
6 amended to read as follows:

7 (2) At least fourteen (14) years old when he or she engages in
8 conduct that constitutes a felony under § ~~5-73-119(a)~~ 5-73-502; or

9
10 SECTION 20. Arkansas Code § 9-27-501(a)(3)(O), concerning offenses
11 involving a juvenile fourteen (14) or fifteen (15) years of age that permit a
12 prosecuting attorney to file a motion to designate a juvenile as an extended
13 juvenile jurisdiction offender, is amended to read as follows:

14 (O) Possession of a handgun on school property, § ~~5-73-~~
15 ~~119(b)(1)-(A)~~ 5-73-504(a)(1);

16
17 SECTION 21. Arkansas Code § 12-15-201(3)(C)(iii), concerning the
18 definition of “employee of a local detention facility” in the definitions
19 section for concealed handgun permits for law enforcement officers and other
20 officials, is amended to read as follows:

21 (3) “Employee of a local detention facility” means a person who:

22 (A) Is employed by a county sheriff or municipality that
23 operates a local detention facility and whose job duties include:

24 (i) Securing a local detention facility;

25 (ii) Monitoring inmates in a local detention
26 facility; or

27 (iii) Administering the daily operation of the local
28 detention facility;

29 (B) Has completed the minimum training requirements; and

30 (C) Has obtained authorization from the chief of police of
31 the law enforcement agency or county sheriff and the authorization is:

32 (i) In writing;

33 (ii) In the possession of the employee of a local
34 detention facility; and

35 (iii) Produced upon demand at the request of any law
36 enforcement officer or owner or operator of any of the prohibited places

1 under ~~§ 5-73-306~~ §§ 5-73-504 and 5-73-601;

2
3 SECTION 22. Arkansas Code § 12-15-202(d), concerning an active or
4 retired law enforcement officer carrying a concealed handgun in prohibited
5 places, is amended to read as follows:

6 (d) A certified or retired law enforcement officer or active or
7 retired auxiliary law enforcement officer carrying a concealed handgun under
8 this section is not subject to the prohibitions and limitations of ~~§ 5-73-306~~
9 §§ 5-73-504 and 5-73-601.

10
11 SECTION 23. Arkansas Code § 12-15-204(b), concerning member of a
12 municipal fire department bomb squad carrying a concealed handgun in
13 prohibited places, is amended to read as follows:

14 (b) A member of a municipal fire department bomb squad carrying a
15 concealed handgun under this section is not subject to the prohibitions and
16 limitations of ~~§ 5-73-306~~ §§ 5-73-504 and 5-73-601.

17
18 SECTION 24. Arkansas Code § 12-15-205(c), concerning an active or
19 retired prosecuting attorney or deputy prosecuting attorney carrying a
20 concealed handgun in prohibited places, is amended to read as follows:

21 (c) An active or retired prosecuting attorney or active or retired
22 deputy prosecuting attorney designated by the prosecuting attorney carrying a
23 concealed handgun under this section is not subject to the prohibitions and
24 limitations of ~~§ 5-73-306~~ §§ 5-73-504 and 5-73-601.

25
26 SECTION 25. Arkansas Code § 12-15-206(b), concerning an emergency
27 medical technician carrying a concealed handgun in prohibited places, is
28 amended to read as follows:

29 (b) An emergency medical technician carrying a concealed handgun under
30 this section is not subject to the prohibitions and limitations of ~~§ 5-73-306~~
31 §§ 5-73-504 and 5-73-601.

32
33 SECTION 26. Arkansas Code § 12-15-207(b), concerning a current or
34 former judge carrying a concealed handgun in prohibited places, is amended to
35 read as follows:

36 (b) A current or former district court judge, circuit court judge,

1 Court of Appeals judge, or Supreme Court justice carrying a concealed handgun
2 under this section is not subject to the prohibitions and limitations of ~~§ 5-~~
3 ~~73-306~~ §§ 5-73-504 and 5-73-601.

Arkansas Firearms and Concealed Carry Laws Study

ALC-Game & Fish/State Police Subcommittee

Final Report to the ALC-Executive Subcommittee

October 17, 2024

I. Background.

On August 25, 2023, the Legislative Council directed the Subcommittee to undertake the Arkansas Firearms and Concealed Carry Laws Study and adopted the study parameters set forth in Attachment A to this report. The procedures of the Arkansas Firearms and Concealed Carry Laws Study required on or before October 1, 2024, that the Subcommittee shall file with the Executive Subcommittee of the Legislative Council a final written report of their activities, findings, and recommendations, including any draft legislation. Upon filing of the final report to the Executive Subcommittee, the study shall be complete.

The purpose of the study is to review the existing laws of the State of Arkansas concerning ownership, use, and possession of firearms as well as the concealed carry laws of the state, in order to ascertain the existing rights and restrictions under the laws and recommend legislation to these laws as necessary to clarify the rights and restrictions of citizens of the State of Arkansas with regard to laws concerning firearms and concealed carry of firearms.

II. Work of the Subcommittee.

On October 19, 2023, the Subcommittee heard a presentation regarding an overview of the Arkansas Firearms and Concealed Carry Laws Study and timeline. Beginning in November of 2023, the Subcommittee held monthly meetings, with the exception of April 2024 and May 2024 due to the Fiscal Session, to hear summaries of the laws concerning firearms regarding the following topics:

- Federal Laws;
- Hunting Laws;
- Concealed Carry Laws and Rules;
- Possession and Open Carry Laws;
- Laws concerning Law Enforcement Officers and Other Armed Officers; and
- Local Government, Business and Commerce, Offenses and Sentencing, Transfer and Disposition of Firearms, Schools and Criminal Law

During each meeting, the following agencies were permitted to provide additional information or responses for that meeting's topic:

- Attorney General's Office;
- Arkansas State Police;

- Arkansas Game & Fish Commission;
- Chiefs of Police Association;
- Prosecutor Coordinator’s Office;
- Sheriffs’ Association; and
- Arkansas Department of Transportation

In addition, members of the public were permitted to sign up and provide input to the Subcommittee on each of the topics.

In September of 2024, the Subcommittee began discussions of the draft legislation to prepare the final packet of legislation and to submit a report to the Executive Subcommittee of Legislative Council. The Subcommittee requested and was granted an extension to its October 1 reporting deadline by the Executive Subcommittee, and concluded its work concerning the report and draft legislation at its meeting on October 7, 2024.

The Subcommittee voted to include the following legislative recommendations in its final report:

III. Recommendations by the Subcommittee.

RECOMMENDATIONS		BILL
HUNTING RECOMMENDATIONS		
§15-43-105 – Prima facie evidence of hunting or fishing	Repeal this section.	JLC176
§ 15-43-205 – Negligent Discharge of Firearm while Deer Hunting	Repeal this section.	JLC177
CONCEALED CARRY/OPEN CARRY		
Single Licensing Scheme	Move from 2 licensing schemes to only one.	JLC174
Journey	Leaving the rights under “Journey” as they currently exist, but moving to §5-73-503	JLC174
Gun-Free School Zone Act	Recommendation: No changes needed to current law.	N/A

School Bus Stops	Remove school bus stops from the list of prohibited carry locations.	JLC 174
Parades or Demonstrations	Striking this provision in its entirety.	JLC 174
Sentencing – carrying in schools	Recommend penalties set at an amount of up to \$1,000 per offense.	JLC174
Publicly Owned Buildings	Recommend the language of the new concealed carry licensing scheme be clear that the license allows you to carry in certain state buildings.	JLC174
Meeting of Gov’t Entities	Recommend allowing concealed carry in all these types of meetings.	JLC174
Sentencing/Fines/Penalties	Recommend penalties set at an amount of up to \$1,000 per offense.	JLC174
Airports	Recommendation: No changes needed to current law.	N/A
Publicly-owned educational institutions	Recommendation: Anyone covered by an alcohol permit is allowed to prohibit weapons on their premises.	JLC174
Officers of the court (Issues of Courtrooms vs. Courthouses)	Adopted language to establish where carry is allowed based on Arkansas Supreme Court Administrative Order 23 and recent caselaw.	JLC174
Bd. Of Corrections vs. Post-Prison Transfer Bd.	Recommend repeal § 5-73-328 and § 5-73-323	JLC174

ASP Duty to Issue Licenses (Statutory)	Change “may issue” to “shall issue” throughout applicable code sections to make consistent with § 5-73-309 (making the language clear that ASP is required to issue concealed carry licenses mandatory rather than permissive language).	JLC175
Involuntary Commitments	Recommendation: To further study the issue – currently there is not path to regain right to possession of a firearm if ever involuntarily committed.	JLC184
LEO RECOMMENDATIONS		
Unify Judicial Districts Treatment in Code re: Bailiffs, probation officers, etc.	Recommendation: Make one code section that provides the same authority to all judicial districts (repeal the others).	JLC180
Award of firearms upon death/retirement	Recommendation: One code provision listing all law enforcement officers (all entities) and provide for award of the leo’s service pistol upon death or retirement of the leo.	JLC179
OTHER:		
Municipalities/Counties Restrictions	Recommendation: Prohibit municipalities and counties from enacting or promulgating firearms requirements that are most restrictive than state law.	JLC178

§ 23-12-804 Fines for Shooting at Trains	Recommend classifying this offense as a Class A misdemeanor.	JLC183
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In addition to the recommendations listed above, at its meeting on October 7, 2024, the Subcommittee adopted motions to make the following revisions to JLC174 prior to filing it with the General Assembly for consideration during the 2025 Regular Session:

- Define the term “school facilities”, as it appears in the bill prior to filing of legislation in 2025 Regular Session;
- Duplicate language of §5-73-601(b)(3)(B) and place in §5-73-504, but rather than “licensee” reference “person” and include pre-Kindergarten;
- Split §5-73-601(b)(9) into 2 subdivisions (2 listings of prohibited places)
 - “Into a place owned or operated by a person or private entity that prohibits the carrying of a firearm” with all language regarding sign placement; and
 - “Into any place licensed to dispense alcoholic beverages for public consumption that prohibits the carrying of a firearm” – limited to the day of the event when alcohol is being served – and include all language regarding sign placement; and
- BLR was directed to review Arkansas Code §11-5-117 to determine whether it conflicts with the provisions of JLC174 and requires any revision in the bill.

IV. Conclusion.

The ALC-Game & Fish/State Police Subcommittee recommends adoption by the Executive Subcommittee of all recommendations included in this report. Under the procedures adopted by the Legislative Council (Attachment A), the Executive Subcommittee shall review and consider the findings and recommendations of this report and make a final recommendation to the Legislative Council no later than the December 2024 meeting of the Legislative Council.

Respectfully Submitted: Sen. Ricky Hill and Rep. Josh Miller, Co-Chairs

Arkansas Firearms and Concealed Carry Laws Study
ALC-Game & Fish/State Police Subcommittee

(a) Beginning in October 2023, the Game & Fish/State Police Subcommittee of the Legislative Council shall meet to conduct the Arkansas Firearms and Concealed Carry Laws Study.

(b) The purpose of the study is to review the existing laws of the State of Arkansas concerning ownership, use, and possession of firearms, as well as the concealed carry laws of the state, in order to ascertain the existing rights and restrictions under the laws and recommend legislation to these laws as necessary to clarify the rights and restrictions of citizens of the State of Arkansas with regard to laws concerning firearms and concealed carry of firearms.

(c) In order to achieve the purpose of the study, the Game & Fish/State Police Subcommittee shall study the following:

(1) Issues related to firearms instructors, including:

(A) Review of uniformity regarding the qualifications to become a firearms instructor in the state, including the level of understanding and knowledge of state and federal laws related to firearms;

(B) Accountability for firearms instructors following initial certification, including continuing education requirements;

(C) Enforcement and oversight of the Arkansas State Police rules pertaining to firearms instructors;

(2) Issues related to concealed carry statutes and rules, including:

(A) Review of clarity in the laws and rules concerning enhanced concealed carry licenses, including who may carry a concealed handgun, restrictions on where a concealed handgun may be carried;

(B) Requirements in place for concealed carry instructors, including marksmanship requirements;

(3) State and federal laws governing gun possession and the interaction of those various laws; and

(4) Determining the proper entity to provide advice and guidance to the Arkansas State Police regarding possible discrepancies in the laws related to firearms.

(d)(1) On or before October 1, 2024, the Game & Fish/State Police Subcommittee shall file with the Executive Subcommittee of the Legislative Council a final written report of their activities, findings, and recommendations, including any draft legislation.

(2) Upon filing of the final report with the Executive Subcommittee, the study shall be complete.

(3) The Executive Subcommittee shall review and consider the findings and recommendations of the report and make a final recommendation to the Legislative Council no later than the December 2024 meeting of the Legislative Council.

State of Arkansas
94th General Assembly
Third Extraordinary Session, 2024

A Bill

DRAFT JLC/CLJ
SENATE BILL

By: Senator Rice
By: Representative Wardlaw

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF A
LICENSE TO CARRY A CONCEALED HANDGUN; TO REQUIRE THE
DIVISION OF ARKANSAS STATE POLICE TO ISSUE A LICENSE
TO CARRY A CONCEALED HANDGUN WHEN AN INDIVIDUAL
QUALIFIES FOR A CONCEALED HANDGUN LICENSE UNDER STATE
LAW; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE ISSUANCE
OF A LICENSE TO CARRY A CONCEALED
HANDGUN; AND TO REQUIRE THE DIVISION OF
ARKANSAS STATE POLICE TO ISSUE A LICENSE
TO CARRY A CONCEALED HANDGUN WHEN AN
INDIVIDUAL QUALIFIES UNDER STATE LAW.

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

SECTION 1. Arkansas Code § 5-73-302(a), concerning the authority of
the Division of Arkansas State Police to issue a license to carry a concealed
handgun, is amended to read as follows:

(a) The Director of the Division of Arkansas State Police ~~may~~ shall
issue a license to carry a concealed handgun to a person qualified as
provided in this subchapter.

SECTION 2. Arkansas Code § 5-73-320(a), concerning the authority of
the Division of Arkansas State Police to issue a license to carry a concealed

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1 handgun for certain members of the Arkansas National Guard or a reserve
2 component or active duty military personnel, is amended to read as follows:

3 (a) The Division of Arkansas State Police ~~may~~ shall issue a license
4 under this subchapter to a person who:

5 (1) Is currently serving as an active duty member of, or has
6 recently been honorably discharged from, the United States Armed Forces, the
7 National Guard, or a reserve component of the United States Armed Forces;

8 (2) Submits the following documents:

9 (A) A completed concealed handgun license application as
10 prescribed by the division;

11 (B) A form specified by the Director of the Division of
12 Arkansas State Police reflecting the fingerprints of the applicant;

13 (C) A properly completed and dated certificate from a
14 concealed handgun carry training instructor who is registered with the
15 division;

16 (D) A letter dated and personally signed by a commanding
17 officer or his or her designee stating that the applicant is of good
18 character and sound judgment;

19 (E) A form, as designated by the division, showing that
20 the applicant has met the military qualification requirements for issuance
21 and operation of a handgun within one (1) year of the application date;

22 (F) A copy of the face or photograph side of a current
23 uniformed services of the United States identification card, if the applicant
24 is a member of the United States Armed Forces; and

25 (G) An electronic passport-style photo of the applicant,
26 if the applicant does not hold an Arkansas driver's license or identification
27 card; and

28 (3) Submits any required fees.
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State of Arkansas
94th General Assembly
Third Extraordinary Session, 2024

A Bill

DRAFT JLC/CLJ
HOUSE BILL

By: Representative Wardlaw

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING EVIDENCE OF
HUNTING AND FISHING; TO REPEAL ARKANSAS CODE § 15-43-
105; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING EVIDENCE OF
HUNTING AND FISHING; AND TO REPEAL
ARKANSAS CODE § 15-43-105.

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

SECTION 1. Arkansas Code § 15-43-105 is repealed.

~~15-43-105. Prima facie evidence of hunting and fishing.~~

~~(a) The possession of firearms in fields, forests, along streams, or
in any location known to be game cover shall be considered prima facie
evidence that the possessor is hunting.~~

~~(b) The possession of tackle, nets, spears, or other instruments
usually used in fishing on or in the vicinity of lakes and streams shall be
considered prima facie evidence that the possessor is fishing.~~

State of Arkansas
94th General Assembly
Third Extraordinary Session, 2024

A Bill

DRAFT JLC/CLJ
SENATE BILL

By: Senator J. Boyd
By: Representative Beaty Jr.

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING NEGLIGENT
DISCHARGE OF FIREARMS WHILE HUNTING DEER; TO REPEAL §
15-43-205; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING NEGLIGENT
DISCHARGE OF FIREARMS WHILE HUNTING DEER;
AND TO REPEAL § 15-43-205.

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

SECTION 1. Arkansas Code § 15-43-205 is repealed.

~~15-43-205. Negligent discharge of firearms while hunting deer.~~

~~(a) The General Assembly has become aware of the fact that many persons hunting deer in this state negligently allow their firearms to be discharged without exercising proper care to ascertain the object at which they shoot, thereby endangering the life, limb, and property of other persons. It is the intent of this section to deter the negligent use of firearms by deer hunters by imposing penalties therefor.~~

~~(b) A person who, while hunting deer, negligently discharges a firearm in such circumstances as to endanger the person or property of another shall be fined in an amount not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) or may be imprisoned in the county jail for a period not less than thirty (30) days nor more than six (6) months, or be both fined and imprisoned.~~

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State of Arkansas
94th General Assembly
Third Extraordinary Session, 2024

A Bill

DRAFT JLC/CLJ
HOUSE BILL

By: Representative Wardlaw

For An Act To Be Entitled

AN ACT CONCERNING FIREARMS AND REGULATION BY LOCAL
GOVERNMENTS; TO PROHIBIT A LOCAL GOVERNMENT FROM
ENACTING AN ORDINANCE OR PROMULGATING A REGULATION
CONCERNING FIREARMS THAT IS MORE RESTRICTIVE THAN
STATE LAW; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING FIREARMS AND REGULATION BY
LOCAL GOVERNMENTS; AND TO PROHIBIT A
LOCAL GOVERNMENT FROM ENACTING AN
ORDINANCE OR PROMULGATING A REGULATION
CONCERNING FIREARMS THAT IS MORE
RESTRICTIVE THAN STATE LAW.

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

SECTION 1. Arkansas Code Title 14, Chapter 1, Subchapter 1, is amended
to add an additional section to read as follows:

14-1-111. Regulation of firearms by local government – Definition.

(a) As used in this section, “local government” means:

(1) A county;

(2) A city of the first class, a city of the second class, or an
incorporated town; or

(3) Any other district or political subdivision of the state or
an agency, board, or commission of such a district or political subdivision.

(b) A local government shall not enact an ordinance or promulgate a
regulation concerning firearms that is more restrictive than state law.

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State of Arkansas
94th General Assembly
Third Extraordinary Session, 2024

A Bill

DRAFT JLC/CLJ
HOUSE BILL

By: Representative Wardlaw

For An Act To Be Entitled

AN ACT CONCERNING THE AWARD OF A FIREARM TO A LAW
ENFORCEMENT OFFICER UPON RETIREMENT OR TO THE
OFFICER'S FAMILY UPON THE DEATH OF THE OFFICER; TO
REPEAL THE VARIOUS STATUTES THAT ARE CURRENTLY IN
PLACE AWARDING A FIREARM TO A LAW ENFORCEMENT OFFICER
UPON RETIREMENT OR TO THE OFFICER'S FAMILY UPON THE
DEATH OF THE OFFICER AND TO PROVIDE A CONSISTENT
PROCESS ACROSS AGENCIES; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE AWARD OF A FIREARM TO A
LAW ENFORCEMENT OFFICER UPON RETIREMENT
OR TO THE OFFICER'S FAMILY UPON THE DEATH
OF THE OFFICER.

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

SECTION 1. Arkansas Code § 12-8-214 is repealed.

~~12-8-214. Award of pistol and purchase of shotgun upon retirement or death.~~

~~(a) When a Department of Arkansas State Police officer retires from service or dies while still employed with the department, in recognition of and appreciation for the service of the retiring or deceased officer, the Arkansas State Police Commission may award the pistol carried by the officer at the time of his or her death or retirement from service to:~~

~~(1) The officer; or~~

~~(2) The officer's spouse, if the spouse is eligible under~~

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1 ~~applicable state and federal laws to possess a firearm.~~

2 ~~(b) When a department officer retires from service or dies while still~~
3 ~~employed with the department, in recognition of and appreciation for the~~
4 ~~service of the retiring or deceased officer, the commission may allow the~~
5 ~~purchase of the shotgun used by the officer while on duty at the time of his~~
6 ~~or her death or retirement from service at fair market value as determined by~~
7 ~~the commission by:~~

8 ~~(1) The officer; or~~

9 ~~(2) The officer's spouse, if the spouse is eligible under~~
10 ~~applicable state and federal laws to possess a firearm.~~

11
12 SECTION 2. Arkansas Code § 12-9-117 is repealed.

13 ~~12-9-117. Award of pistol upon retirement or death of a certified law~~
14 ~~enforcement officer employed by the division.~~

15 ~~(a) When a certified law enforcement officer employed by the Division~~
16 ~~of Law Enforcement Standards and Training or a state-funded law enforcement~~
17 ~~training academy retires from service or dies while still employed with the~~
18 ~~division or the state-funded law enforcement training academy, in recognition~~
19 ~~of and appreciation for the service of the retiring or deceased certified law~~
20 ~~enforcement officer, the division or the state-funded law enforcement~~
21 ~~training academy may award the pistol carried by the certified law~~
22 ~~enforcement officer at the time of his or her death or retirement from~~
23 ~~service to:~~

24 ~~(1) The certified law enforcement officer; or~~

25 ~~(2) The certified law enforcement officer's spouse if the spouse~~
26 ~~is eligible under applicable state and federal laws to possess a firearm.~~

27 ~~(b)(1) A certified law enforcement officer employed by the division or~~
28 ~~a state-funded law enforcement training academy may retain his or her pistol~~
29 ~~he or she carried at the time of his or her retirement from service.~~

30 ~~(2) If the certified law enforcement officer dies while he or~~
31 ~~she is employed by the division or a state-funded law enforcement training~~
32 ~~academy, his or her spouse may receive or retain the pistol carried by the~~
33 ~~certified law enforcement officer at the time of his or her death, if the~~
34 ~~spouse is eligible under applicable state and federal laws to possess a~~
35 ~~firearm.~~

SECTION 3. Arkansas Code § 12-14-108 is repealed.

~~12-14-108. Award of pistol upon retirement or death.~~

~~When a State Capitol Police officer retires from service or dies while still employed with the State Capitol Police, in recognition of and appreciation for the service of the retiring or deceased officer, the Secretary of State may award the pistol carried by the officer at the time of his or her death or retirement from service to:~~

~~(1) The officer; or~~

~~(2) The officer's spouse if the spouse is eligible under applicable state and federal laws to possess a firearm.~~

SECTION 4. Arkansas Code Title 12, Chapter 15, Subchapter 1, is amended to add an additional section to read as follows:

12-15-101. Award of pistol and purchase of shotgun upon retirement or death.

(a) As used in this section:

(1) "Law enforcement officer" means any law enforcement officer, including without limitation:

(A) An officer of the Division of Arkansas State Police;

(B) A officer of the Division of Law Enforcement Standards and Training;

(C) A State Capitol Police officer;

(D) A county sheriff or deputy sheriff;

(E) An officer of the Department of Corrections;

(F) A municipal police officer;

(G) An officer of the State Parks Division of the Department of Parks, Heritage, and Tourism; and

(H) A State Highway Commission officer; and

(2) "Public entity" means the state, or a political subdivision of the state, including without limitation an agency, board, commission, committee, council, office, or other state or local entity created by the Arkansas Constitution or law.

(b) When a law enforcement officer retires from service or dies while still employed by a public entity, in recognition of and appreciation for the service of the retiring or deceased officer, the public entity may award the pistol carried by the officer at the time of his or her death or retirement

1 from service to:

2 (1) The law enforcement officer; or

3 (2) The law enforcement officer's spouse, if the spouse is
 4 eligible under applicable state and federal laws to possess a firearm.

5 (c) When a law enforcement officer retires from service or dies while
 6 still employed with a public entity, in recognition of and appreciation for
 7 the service of the retiring or deceased officer, the public entity may allow
 8 the purchase of the shotgun used by the officer while on duty at the time of
 9 his or her death or retirement from service at fair market value as
 10 determined by the public entity by:

11 (1) The law enforcement officer; or

12 (2) The law enforcement officer's spouse, if the spouse is
 13 eligible under applicable state and federal laws to possess a firearm.

14
 15 SECTION 5. Arkansas Code § 12-15-301 is repealed.

16 ~~12-15-301. Sale of county-issued firearms to deputies.~~

17 ~~(a)(1) When any county sheriff's deputy retires or otherwise honorably~~
 18 ~~terminates employment with the county sheriff, the officer may purchase any~~
 19 ~~firearm which had been issued to the officer by the county sheriff.~~

20 ~~(2) The county sheriff, with the approval of the county judge,~~
 21 ~~may sell the firearm to the deputy at its fair market value as determined by~~
 22 ~~the county sheriff.~~

23 ~~(b) In regard to the sale of such firearms, the county sheriff is not~~
 24 ~~required to comply with any other law of this state regarding the sale of~~
 25 ~~county property.~~

26
 27 SECTION 6. Arkansas Code § 12-15-302 is repealed.

28 ~~12-15-302. Award of pistol upon retirement or death of a county~~
 29 ~~sheriff or deputy county sheriff.~~

30 ~~(a) When a deputy county sheriff retires from service or dies while~~
 31 ~~still employed with the county sheriff's department, in recognition of and~~
 32 ~~appreciation for the service of the retiring or deceased deputy county~~
 33 ~~sheriff, the county sheriff may award the pistol carried by the deputy county~~
 34 ~~sheriff at the time of his or her death or retirement from service to:~~

35 ~~(1) The deputy county sheriff; or~~

36 ~~(2) The deputy county sheriff's spouse if the spouse is eligible~~

1 ~~under applicable state and federal laws to possess a firearm.~~

2 ~~(b)(1) A county sheriff may retain his or her pistol he or she carried~~
3 ~~at the time of his or her retirement from service.~~

4 ~~(2) If the county sheriff dies while he or she is still in~~
5 ~~office, his or her spouse may receive or retain the pistol carried by the~~
6 ~~county sheriff at the time of his or her death if the spouse is eligible~~
7 ~~under applicable state and federal laws to possess a firearm.~~

8
9 SECTION 7. Arkansas Code § 12-27-143 is repealed.

10 ~~12-27-143. Award of service weapon upon retirement or death of~~
11 ~~department employee.~~

12 ~~When a Department of Corrections employee dies while still employed~~
13 ~~with the department, retires from service with at least twenty (20) years of~~
14 ~~service, or retires due to an injury obtained in the line of duty, in~~
15 ~~recognition of and appreciation for the service of the retiring or deceased~~
16 ~~employee, the Director of the Division of Correction, the Director of the~~
17 ~~Division of Community Correction, the Board of Corrections, or the Secretary~~
18 ~~of the Department of Corrections may award the service weapon carried by the~~
19 ~~employee at the time of his or her retirement from service or death to:~~

20 ~~(1) The employee;~~

21 ~~(2) The employee's spouse if the spouse is eligible under~~
22 ~~applicable state and federal laws to possess a firearm; or~~

23 ~~(3)(A) The surviving child of the employee if there is no~~
24 ~~surviving spouse and the surviving child is eligible under applicable state~~
25 ~~and federal laws to possess a firearm.~~

26 ~~(B)(i) If there is more than one (1) surviving child of~~
27 ~~the employee, the service weapon may be awarded to the oldest surviving child~~
28 ~~if he or she is eligible under applicable state and federal laws to possess a~~
29 ~~firearm.~~

30 ~~(ii) If the oldest of the surviving children is not~~
31 ~~eligible to possess a firearm under applicable state and federal laws, then~~
32 ~~the service weapon may be awarded to the next oldest surviving child if he or~~
33 ~~she is eligible to possess a firearm under applicable state and federal laws.~~

34
35 SECTION 8. Arkansas Code § 14-52-112 is repealed.

36 ~~14-52-112. Award of pistol and purchase of shotgun upon retirement.~~

~~(a) When a law enforcement officer employed by a city of the first class, city of the second class, or incorporated town retires from service or dies while still employed with the city of the first class, city of the second class, or incorporated town, in recognition of and appreciation for the service of the retiring or deceased law enforcement officer, the mayor, city manager, or city administrator of the city of the first class, city of the second class, or incorporated town may award the pistol carried by the law enforcement officer at the time of his or her death or retirement from service to:~~

~~(1) The law enforcement officer; or~~

~~(2) The law enforcement officer's spouse if the spouse is eligible under applicable state and federal laws to possess a firearm.~~

~~(b) When a law enforcement officer retires from service, the law enforcement officer may purchase the shotgun he or she used while on duty at the fair market value as determined by the mayor, city manager, or city administrator of the city of the first class, city of the second class, or incorporated town.~~

SECTION 9. Arkansas Code § 15-11-210 is repealed.

~~15-11-210. Award of pistol upon retirement.~~

~~When a commissioned law enforcement officer of the State Parks Division of the Department of Parks, Heritage, and Tourism retires from service in good standing after twenty (20) years of service, in recognition of and appreciation for the service of the retiring officer, the Director of the State Parks Division may award to the officer the pistol carried by the officer at the time of his or her retirement from service.~~

SECTION 10. Arkansas Code § 27-65-143 is repealed.

~~27-65-143. Award of pistol, shotgun, or both upon retirement or death.~~

~~When a highway police patrol officer of the Arkansas Highway Police Division of the Arkansas Department of Transportation retires from service or dies while still employed with the Arkansas Department of Transportation, in recognition of and appreciation for the service of the retiring or deceased officer, the State Highway Commission may award the pistol or the shotgun, or both, carried or used by the officer while on duty at the time of his or her death or retirement from service to:~~

1 ~~(1) The officer upon retirement; or~~
2 ~~(2) The officer's spouse if the officer is deceased and the~~
3 ~~spouse is eligible under applicable state and federal laws to possess a~~
4 ~~firearm.~~

State of Arkansas
94th General Assembly
Third Extraordinary Session, 2024

A Bill

DRAFT JLC/CLJ
HOUSE BILL

By: Representative Wardlaw

For An Act To Be Entitled

AN ACT CONCERNING JUDICIAL OFFICERS; TO REPEAL
INCONSISTENT STATUTES CONCERNING JUDICIAL OFFICERS IN
INDIVIDUAL JUDICIAL DISTRICTS; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING JUDICIAL OFFICERS; AND TO
REPEAL INCONSISTENT STATUTES CONCERNING
JUDICIAL OFFICERS IN INDIVIDUAL JUDICIAL
DISTRICTS.

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

SECTION 1. Arkansas Code § 16-13-1412 is repealed.

~~16-13-1412. Circuit court probation officers.~~

~~(a) The circuit judges of the First and Fifth Divisions of the Sixth
Judicial District may appoint a chief probation officer and a deputy
probation officer.~~

~~(b)(1) The duties of the chief probation officer shall include the
supervision of all persons on probation, the investigation of all matters
referred to him or her by the court relating to the granting of suspended
sentences, and the investigation of any other matters that may be referred to
him or her by the court.~~

~~(2) The deputy probation officer shall perform all duties
delegated to him or her by the chief probation officer, and all those
referred to him or her by the court.~~

~~(3) The chief probation officer and the deputy probation~~

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1 officer, in the performance of their duties, may exercise all the powers of a
2 deputy sheriff, which powers shall include the powers to make arrests, carry
3 weapons, and serve summonses.

4 ~~(c)(1) The salary of the chief probation officer shall be twenty five~~
5 ~~thousand dollars (\$25,000) per calendar year, which salary shall be paid by~~
6 ~~Pulaski County.~~

7 ~~(2) The salary of the deputy probation officer shall be twenty-~~
8 ~~three thousand five hundred dollars (\$23,500) per calendar year, which salary~~
9 ~~shall be paid by Pulaski County.~~

10 ~~(3) Any probation officer funded through or by the Board of~~
11 ~~Corrections is specifically excluded from the provisions of this section.~~

12 ~~(d) Nothing in the provisions of this section shall be construed to~~
13 ~~repeal or modify the laws now in effect relating to the duties of the State~~
14 ~~Parole Officer.~~

15 ~~(e)(1) The salaries of the chief probation officer and coordinator~~
16 ~~probation officers set by this section and by county ordinance shall be~~
17 ~~amended to provide for an increase of the minimum salaries of four percent~~
18 ~~(4%) as of July 10, 1987; and another increase of four percent (4%) beginning~~
19 ~~December 26, 1987; and another increase of four percent (4%) beginning~~
20 ~~December 24, 1988, unless a higher salary is provided by any other~~
21 ~~legislative act or county ordinance.~~

22 ~~(2) All of the salaries shall be paid by Pulaski County. All of~~
23 ~~the salaries shall be paid biweekly by Pulaski County.~~

24 ~~(3) When the county quorum court raises salaries for county~~
25 ~~employees, it shall also raise salaries an equivalent amount for the~~
26 ~~employees provided for in this subsection.~~

27 ~~(4) The employees covered by this subsection shall be treated by~~
28 ~~Pulaski County in the same manner as other Pulaski County employees for all~~
29 ~~other purposes.~~

30
31 SECTION 2. Arkansas Code § 16-13-1413 is repealed.

32 ~~16-13-1413. Court bailiffs.~~

33 ~~(a)(1)(A) The circuit judges of the Sixth Judicial District may each~~
34 ~~appoint one (1) court bailiff.~~

35 ~~(B) If a circuit judge hears criminal cases, one (1)~~
36 ~~assistant court bailiff may also be appointed.~~

~~(2) The chancery judges of the Sixth Judicial District may each appoint one (1) court bailiff.~~

~~(3) The circuit chancery judges of the Sixth Judicial District may each appoint one (1) court bailiff.~~

~~(b)(1) The duties of the bailiffs shall include their attendance in their respective courts when court is in session and the supervision and maintenance of order in their respective courtrooms, providing security for individuals involved in court proceedings, officers of the court, and judges, and other incidental and related duties at the direction of the judges.~~

~~(2) The bailiffs shall exercise all the powers of a deputy sheriff, including the power to make arrests, carry a weapon, and serve summonses, and shall be certified law enforcement officers.~~

~~(3) The circuit chancery judges may appoint at least one (1) probation officer to serve as assistant bailiff.~~

~~(c) The bailiffs and assistant bailiffs of each of the courts shall receive a salary as set by the Pulaski County Quorum Court.~~

~~(d)(1) When the quorum court raises salaries for county employees, it shall also raise salaries an equivalent amount for the above employees.~~

~~(2) Those employees covered by this section shall be treated by Pulaski County in the same manner as other Pulaski County employees for all other purposes.~~

SECTION 3. Arkansas Code § 16-13-2607 is repealed.

~~16-13-2607. Bailiffs.~~

~~(a) The circuit, chancery, and circuit chancery judges of the Eighteenth Judicial District East may each appoint one (1) court bailiff and, by concurrence of a majority of the judges in the judicial district, two (2) at large bailiffs to serve as circumstances warrant.~~

~~(b)(1) The duties of the bailiffs shall include:~~

~~(A) The supervision and maintenance of order in the courtroom;~~

~~(B) Providing security for the judges, officers of the court, jurors, and other individuals involved in court proceedings;~~

~~(C) Administering oaths; and~~

~~(D) Other related duties as assigned by the judges.~~

~~(2) When acting within the scope of their duties, the bailiffs~~

1 ~~shall exercise all the powers necessary and proper to perform their duties,~~
2 ~~including the powers of a deputy sheriff and the power to make arrests, carry~~
3 ~~a weapon, and serve summons.~~

4 ~~(3) The bailiffs shall have and maintain law enforcement~~
5 ~~certification as is necessary to fully perform the functions of their office.~~

6 ~~(c)(1)(A) The compensation package of the bailiffs shall be determined~~
7 ~~by the Garland County Quorum Court.~~

8 ~~(B) If the quorum court raises salary benefits for county~~
9 ~~employees, it shall also raise salary or benefits an equivalent amount for~~
10 ~~the bailiffs.~~

11 ~~(2) Any other employment or salary considerations will be~~
12 ~~governed by Garland County's Job Evaluation Salary Administration Program.~~
13

14 SECTION 4. Arkansas Code § 16-13-2704 is repealed.

15 ~~16-13-2704. Bailiffs.~~

16 ~~(a) The circuit, chancery, and circuit-chancery judges of the~~
17 ~~Nineteenth Judicial District may each appoint one (1) court bailiff.~~

18 ~~(b)(1) The duties of the bailiffs shall include the supervision and~~
19 ~~maintenance of order in their respective courtrooms, providing security for~~
20 ~~the judges, officers of the court, jurors, and other individuals involved in~~
21 ~~court proceedings, administering oaths, and other incidental and related~~
22 ~~duties at the direction of the respective judges.~~

23 ~~(2) When acting within the scope of their duties, the court~~
24 ~~bailiffs shall exercise all the powers necessary and proper to the~~
25 ~~performance of their duties, including the powers of a deputy sheriff and the~~
26 ~~power to make arrests, carry a weapon, and serve a summons.~~

27 ~~(3) A bailiff may maintain law enforcement certification~~
28 ~~existing or acquired during his or her service as bailiff.~~

29 ~~(c) The pay of the bailiffs shall be determined by the quorum courts.~~
30

31 SECTION 5. Arkansas Code § 16-13-3106 is repealed.

32 ~~16-13-3106. Bailiffs.~~

33 ~~(a)(1) The circuit-chancery judges of the Twenty-second Judicial~~
34 ~~District may each appoint so many court bailiffs as the quorum courts of the~~
35 ~~district shall fund.~~

36 ~~(2) The circuit-chancery judges of the Seventh Judicial District~~

1 ~~may each appoint so many court bailiffs as the quorum court of the district~~
2 ~~shall fund.~~

3 ~~(b)(1) The duties of the bailiffs shall include:~~

4 ~~(A) Their attendance in their respective courts when court~~
5 ~~is in session and the supervision and maintenance of order in their~~
6 ~~respective courtrooms;~~

7 ~~(B) Providing security for criminal defendants, juries,~~
8 ~~and judges; and~~

9 ~~(C) Other incidental and related duties at the direction~~
10 ~~of the respective judges.~~

11 ~~(2) When acting within the scope of their duties as court~~
12 ~~bailiffs, the bailiffs shall exercise all the powers of a deputy sheriff,~~
13 ~~which shall include the power to make arrests, carry a weapon, and serve~~
14 ~~summonses, and may maintain law enforcement certification existing or~~
15 ~~acquired during their service as bailiffs.~~

State of Arkansas
94th General Assembly
Third Extraordinary Session, 2024

A Bill

DRAFT JLC/CLJ
SENATE BILL

By: Senator J. Boyd

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE DISCHARGE OF A
FIREARM AT A TRAIN; TO INCREASE THE FINE THAT MAY BE
IMPOSED FOR THE DISCHARGE OF A FIREARM AT A TRAIN OR
FOR THROWING OTHER OBJECTS AT A TRAIN; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE DISCHARGE
OF A FIREARM AT A TRAIN; AND TO INCREASE
THE FINE THAT MAY BE IMPOSED FOR THE
DISCHARGE OF A FIREARM AT A TRAIN OR FOR
THROWING OTHER OBJECTS AT A TRAIN.

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

SECTION 1. Arkansas Code § 23-12-804 is amended to read as follows:
23-12-804. Discharge of firearms or throwing objects at railroad or
street car.

If any person ~~wantonl~~y, ~~maliciously~~, or ~~mischievously~~ knowingly
discharges firearms or throws stones, sticks, clubs, or other missiles at,
into, or against any locomotive, railroad car, or street car on any railroad,
upon conviction he or she shall be guilty of a Class A misdemeanor. ~~On~~
~~conviction the person shall be punished by a fine of not less than twenty-~~
~~five dollars (\$25.00) nor more than two hundred fifty dollars (\$250) or by~~
~~imprisonment in the county jail for not more than three (3) months, or by~~
~~both a fine and imprisonment.~~

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State of Arkansas
94th General Assembly
Third Extraordinary Session, 2024

A Bill

DRAFT JLC/CLJ
SENATE BILL

By: Senator Hill

For An Act To Be Entitled

AN ACT TO CONDUCT A STUDY OF THE PROPRIETY AND
POTENTIAL PROCEDURE FOR RESTORING THE RIGHT TO
POSSESS A FIREARM TO A PERSON WHO WAS DECLARED
MENTALLY INCOMPETENT OR WAS COMMITTED TO A MENTAL
HEALTH TREATMENT FACILITY; AND FOR OTHER PURPOSES.

Subtitle

TO CONDUCT A STUDY OF THE PROPRIETY AND
POTENTIAL PROCEDURE FOR RESTORING THE
RIGHT TO POSSESS A FIREARM TO A PERSON
WHO WAS DECLARED MENTALLY INCOMPETENT OR
WAS COMMITTED TO A MENTAL HEALTH
TREATMENT FACILITY.

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

SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. Legislative Council
study.

(a)(1) The Legislative Council shall conduct a study to determine the
propriety of and potential procedure for restoring the right to possess a
firearm to a person who was adjudicated mentally incompetent or was
voluntarily or involuntarily committed to a mental health treatment facility.

(2) The purpose of the study under this section is to examine:

(A) The propriety of restoring the right to possess a
firearm to a person who was declared mentally incompetent or was voluntarily
or involuntarily committed to a mental health facility in the past but whose
mental health has since been restored; and

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1 (B) Whether current law, including Arkansas Code § 5-73-
2 103, should be amended to permit the possession of a firearm by a person who
3 experienced mental health issues in the past but later recovered.

4 (3)(A) In order to achieve the purposes of the study as set
5 forth in subdivision (a)(2) of this section, the Legislative Council, through
6 the Game and Fish/State Police Subcommittee of the Legislative Council, shall
7 study and consider without limitation the following:

8 (i) Whether the current law prohibiting the
9 possession of a firearm should be amended with regard to persons who were
10 declared mentally incompetent or were committed to a mental health facility
11 and are later recovered; and

12 (ii) If it is determined that the current law should
13 be amended to restore the right to possess a firearm to certain persons, the
14 circumstances that would permit the restoration of the right to possess a
15 firearm and the process that would be required to restore the right to
16 possess a firearm.

17 (B) If the subcommittee determines that current law should
18 be amended, the subcommittee should recommend legislation incorporating the
19 subcommittee's findings.

20 (b) Any state entity with information concerning persons declared
21 mentally incompetent or persons who have been voluntarily or involuntarily
22 committed to a mental health facility shall fully cooperate in the conduct of
23 the study by providing any relevant information, including without
24 limitation:

25 (1) The Department of Health; and

26 (2) The Administrative Office of the Courts.

27 (c) On or before December 1, 2026, the Legislative Council shall file
28 with the Governor, the President Pro Tempore of the Senate, and the Speaker
29 of the House of Representatives a final report of the Legislative Council's
30 activities, findings, and recommendations, including recommended legislation,
31 related to the study and the study shall be complete upon filing of the final
32 report.