

1 State of Arkansas
2 93rd General Assembly
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4

As Engrossed: H3/1/21

A Bill

HOUSE BILL 1556

5 By: Representatives Womack, Gonzales, Wardlaw, *B. Smith*
6 By: Senator Flippo
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE LOCATIONS WHERE HANDGUNS MAY BE
10 PROHIBITED; CONCERNING AGE REQUIREMENTS TO POSSESS A
11 HANDGUN; TO REPEAL LAWS IN CONFLICT; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

16 CONCERNING THE LOCATIONS WHERE HANDGUNS
17 MAY BE PROHIBITED; CONCERNING AGE
18 REQUIREMENTS TO POSSESS A HANDGUN; AND TO
19 REPEAL LAWS IN CONFLICT.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. DO NOT CODIFY. Legislative intent.

25 The intent of the General Assembly is to provide for the safety of the
26 public by clarifying the age requirement for possession of a handgun and to
27 determine where possession of a handgun may be prohibited.
28

29 SECTION 2. Arkansas Code § 5-73-101, concerning definitions used in
30 regard to possession and use of a weapon, is amended to add additional
31 subdivisions to read as follows:

32 (12) "Handgun" means a firearm capable of firing rim fire
33 ammunition or center-fire ammunition and designed or constructed to be fired
34 with one (1) hand; and

35 (13)(A) "Parking lot" means a designated area or structure or
36 part of a structure intended for the parking of motor vehicles or a



1 designated drop-off zone for children at a school.

2 (B) "Parking lot" does not include a parking lot owned,
3 maintained, or otherwise controlled by the Division of Correction or Division
4 of Community Correction.

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

8 5-73-113. Possession of a firearm – Age restriction – Prohibited
9 places.

10 (a) Unless otherwise prohibited under this section or § 5-73-114, a
11 person may carry a firearm in a publicly owned, publicly leased, or publicly
12 rented building or facility, on public land, on a public roadway, on a public
13 sidewalk, and in a public parking lot.

14 (b)(1) A person in this state under twenty-one (21) years of age shall
15 not possess a firearm:

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

18 (B) In or upon any school bus; or

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

21 (2) A violation of subdivision (b)(1) of this section is a Class
22 D felony.

23 (3) A sentence imposed for a violation of subdivision (b)(1) of
24 this section shall not be suspended or probated or treated as a first offense
25 under § 16-93-301 et seq.

26 (c) A person may not possess or carry a handgun:

27 (1) Where prohibited by federal law;

28 (2) Into a facility operated by the Division of Correction, the
29 Division of Community Correction, or the Division of Youth Services, or a
30 county jail;

31 (3)(A) Into a courtroom without authorization from the presiding
32 judge.

33 (B) However, a law enforcement officer, officer of the
34 court, bailiff, or any other person who is not a party to the case and
35 authorized by the presiding judge is permitted to possess a handgun in the
36 courtroom of any court or a courthouse of this state;

1 (4) At a public college or public university sporting event;

2 (5) Into the Arkansas State Hospital;

3 (6) Into a facility on the campus of the University of Arkansas
4 for Medical Sciences; or

5 (7) The Arkansas Justice Building.

6
7 5-73-114. Possession of a handgun by minor – Prohibited places –
8 Permissive possession.

9 (a) A minor shall not possess a handgun unless under the supervision
10 of a parent or guardian.

11 (b)(1) A violation of subsection (a) of this section is a Class A
12 misdemeanor.

13 (2) A violation of subsection (a) of this section is a Class D
14 felony if the person has previously:

15 (A) Been adjudicated delinquent for a violation of
16 subsection (a) of this section or of the former § 5-73-119(a)(1);

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

19 (C) Pleaded guilty or nolo contendere to or been found
20 guilty of a felony in circuit court while a minor.

21 (c)(1) Except as provided under subsection (d) of this section or § 5-
22 73-322, a person in this state shall not possess a handgun:

23 (A) Upon the property of any private institution of higher
24 education;

25 (B) Upon the property of a publicly supported institution
26 of higher education in this state on or about his or her person;

27 (C) In a vehicle occupied by him or her; or

28 (D) That is readily available for use with the purpose to
29 unlawfully employ the handgun as a weapon against a person.

30 (2) A person who knowingly violates subdivision (c)(1) of this
31 section upon conviction is guilty of a Class D felony.

32 (d) It is permissible to carry a handgun under this section if at the
33 time of the act of possessing a handgun:

34 (1) The person is in his or her own dwelling or place of
35 business or on property in which he or she has a possessory or proprietary
36 interest, unless prohibited under subsection (c) of this section;

1 (2) The person is a law enforcement officer, correctional
2 officer, or member of the armed forces acting in the course and scope of his
3 or her official duties;

4 (3) The person is assisting a law enforcement officer,
5 correctional officer, or member of the armed forces acting in the course and
6 scope of his or her official duties pursuant to the direction or request of
7 the law enforcement officer, correctional officer, or member of the armed
8 forces;

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

11 (5) The person is hunting game with a handgun that may be hunted
12 with a handgun under the rules and regulations of the Arkansas State Game and
13 Fish Commission or is en route to or from a hunting area for the purpose of
14 hunting game with a handgun;

15 (6) The person is a certified law enforcement officer;

16 (7) The person has left his or her residence, unless the person
17 is eighteen (18) years of age or less;

18 (8) The person is participating in a certified hunting safety
19 course sponsored by the commission or a firearm safety course recognized and
20 approved by the commission or by a state or national nonprofit organization
21 qualified and experienced in firearm safety;

22 (9) The person is participating in a school-approved educational
23 course or sporting activity involving the use of a handgun;

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

32 (11) The person is twenty-one (21) years of age and has a valid
33 state issued identification card who is not otherwise prohibited from
34 possessing a weapon and is not a student of the kindergarten through grade
35 twelve (K-12) private school operated by a church or other place of worship
36 and has the permission of the kindergarten through grade twelve (K-12) school

1 to possess a handgun; and

2 (12) The person is twenty-one (21) years of age and has a valid
 3 state-issued identification card who is not otherwise prohibited from
 4 possessing a weapon and is carrying a concealed handgun in his or her motor
 5 vehicle or has left the concealed handgun in his or her locked and unattended
 6 motor vehicle in a publicly owned and maintained parking lot.

7
 8 5-73-115. Firearm permission and prohibition – General provisions.

9 This subchapter does not:

10 (1) Supersede the rights of a private landowner to allow or
 11 prohibit the possession of a firearm on the private landowner's property;

12 (2) Prohibit a public college or public university from
 13 developing a policy concerning the possession of an unconcealed handgun; or

14 (3) Supersede any law prohibiting certain persons from
 15 possessing a firearm.

16
 17 SECTION 4. Arkansas Code § 5-73-119 is repealed.

18 ~~5-73-119. Handguns—Possession by minor or possession on school~~
 19 ~~property.~~

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

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

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

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

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

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

33 ~~(b)(1) No person in this state shall possess a firearm:~~

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

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

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

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

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

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

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

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

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

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

25 ~~(2) The person is a law enforcement officer, correctional~~
26 ~~officer, or member of the armed forces acting in the course and scope of his~~
27 ~~or her official duties;~~

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

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

35 ~~(5) The person is hunting game with a handgun or firearm that~~
36 ~~may be hunted with a handgun or firearm under the rules and regulations of~~

1 ~~the Arkansas State Game and Fish Commission or is en route to or from a~~
2 ~~hunting area for the purpose of hunting game with a handgun or firearm;~~

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

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

9 ~~(7) The person is on a journey beyond the county in which the~~
10 ~~person lives, unless the person is eighteen (18) years of age or less;~~

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

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

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

25 ~~(11) The person has a license to carry a concealed handgun under~~
26 ~~§ 5-73-301 et seq. and is carrying a concealed handgun on the developed~~
27 ~~property of:~~

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

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

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

34 ~~(iii) Allows the person to possess a concealed~~
35 ~~handgun on the developed property of the kindergarten through grade twelve~~
36 ~~(K-12) private school; or~~

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

7 ~~(12)(A) The person has a license to carry a concealed handgun under §~~
8 ~~5-73-301 et seq. and is carrying a concealed handgun in his or her motor~~
9 ~~vehicle or has left the concealed handgun in his or her locked and unattended~~
10 ~~motor vehicle in a publicly owned and maintained parking lot.~~

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

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

18
19 SECTION 5. Arkansas Code § 5-73-120(b), concerning definitions used in
20 regards to carrying a weapon, is amended to read as follows:

21 (b) As used in this section:

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

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

28 ~~(3)(2)~~ "Journey" means travel beyond the county in which a
29 person lives; and

30 ~~(4)(3)~~ "Knife" means any bladed hand instrument three inches
31 (3") or longer that is capable of inflicting serious physical injury or death
32 by cutting or stabbing, including a dirk, a sword or spear in a cane, a
33 razor, an ice pick, a throwing star, a switchblade, and a butterfly knife.

34
35 SECTION 6. Arkansas Code § 5-73-122 is repealed.

36 ~~5-73-122. Carrying a firearm in publicly owned buildings or~~

1 facilities.

2 ~~(a)(1) Except as provided in § 5-73-322, § 5-73-306(5), § 16-21-147,~~
3 ~~and this section, it is unlawful for a person other than a law enforcement~~
4 ~~officer, either on duty or off duty, a security guard in the employ of the~~
5 ~~state or an agency of the state or any city or county, or any state or~~
6 ~~federal military personnel, to knowingly carry or possess a loaded firearm or~~
7 ~~other deadly weapon in any publicly owned building or facility or on the~~
8 ~~State Capitol grounds.~~

9 ~~(2) It is unlawful for any person other than a law enforcement~~
10 ~~officer, either on duty or off duty, a security guard in the employ of the~~
11 ~~state or an agency of the state or any city or county, or any state or~~
12 ~~federal military personnel, to knowingly carry or possess a firearm, whether~~
13 ~~loaded or unloaded, in the State Capitol Building or the Arkansas Justice~~
14 ~~Building in Little Rock.~~

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

18 ~~(A) For the purpose of participating in a shooting match~~
19 ~~or target practice under the auspices of the agency responsible for the~~
20 ~~publicly owned building or facility or State Capitol grounds;~~

21 ~~(B) If necessary to participate in a trade show, exhibit,~~
22 ~~or educational course conducted in the publicly owned building or facility or~~
23 ~~on the State Capitol grounds;~~

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

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

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

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

35 ~~(2) The Division of Community~~

36 ~~Correction; or~~

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

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

6 ~~(i) A courtroom or the location of an administrative~~
7 ~~hearing conducted by a state agency, except as permitted by § 5-73-306(5) or~~
8 ~~§ 5-73-306(6);~~

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

12 ~~(iii) A facility operated by the Division of~~
13 ~~Correction or the Division of Community Correction; or~~

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

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

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

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

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

24 ~~(4) As used in this section, "facility" means a municipally~~
25 ~~owned or maintained park, football field, baseball field, soccer field, or~~
26 ~~another similar municipally owned or maintained recreational structure or~~
27 ~~property.~~

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

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

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

1 ~~enforcement officer.~~

2 ~~(e) An off duty law enforcement officer may not carry a firearm into a~~
3 ~~courtroom if the off duty law enforcement officer is a party to or a witness~~
4 ~~in a civil or criminal matter unless the law provides otherwise.~~

5

6 SECTION 7. Arkansas Code § 5-73-127 is repealed.

7 ~~5-73-127. Possession of loaded center fire weapons in certain areas.~~

8 ~~(a) It is unlawful to possess a loaded center fire weapon, other than~~
9 ~~a shotgun and other than in a residence or business of the owner, in the~~
10 ~~following areas:~~

11 ~~(1) Baxter County:~~

12 ~~(A) That part bounded on the south by Highway 178, on the~~
13 ~~west and north by Bull Shoals Lake, and on the east by the Central Electric~~
14 ~~Power Corporation transmission line from Howard Creek to Highway 178;~~

15 ~~(B) That part of Bidwell Point lying south of the east-~~
16 ~~west road which crosses Highway 101 at the Presbyterian Church;~~

17 ~~(C) That part of Bidwell Point lying west of Bennett's~~
18 ~~Bayou and north of the east-west road which crosses Highway 101 at the~~
19 ~~Presbyterian Church;~~

20 ~~(D) That part of Baxter County between:~~

21 ~~(i) County Road 139 and Lake Norfolk to the north~~
22 ~~and west;~~

23 ~~(ii) County Road 151 and Lake Norfolk to the north,~~
24 ~~west, and south in the Diamond Bay area;~~

25 ~~(iii) The Bluff Road and Lake Norfolk to the west;~~

26 ~~(iv) John Lewis Road (Timber Lake Manor) and Lake~~
27 ~~Norfolk to the west and south;~~

28 ~~(v) The south end of County Road 91 south of its~~
29 ~~intersection with John Lewis Road and Lake Norfolk to the south and east; and~~

30 ~~(vi) County Road 150 from its intersection with~~
31 ~~County Road 93 south and Lake Norfolk to the south and east but not east of~~
32 ~~County Road 93;~~

33 ~~(2) Benton County:~~

34 ~~(A) That part of the Hobbs Estate north of State Highway~~
35 ~~12, west of Rambo Road, and south and east of Van Hollow Creek and the Van~~
36 ~~Hollow Creek arm of Beaver Lake;~~

1 ~~(B)—All of Bella Vista Village; and~~

2 ~~(C)—That part bounded on the north by Beaver Lake, on the~~
3 ~~east by Beaver Lake, on the south by the Hobbs State Management Area boundary~~
4 ~~from the intersection of State Highway 12 eastward along the boundary to its~~
5 ~~intersection with the Van Hollow Creek arm of Beaver Lake;~~

6 ~~(3)—Benton and Carroll Counties: That part bounded on the north~~
7 ~~by Highway 62, on the east by Highway 187 and Henry Hollow Creek, and the~~
8 ~~south and west by Beaver Lake and the road from Beaver Dam north to Highway~~
9 ~~62;~~

10 ~~(4)—Conway County: That part lying above the rimrock of Petit~~
11 ~~Jean Mountain;~~

12 ~~(5)—Garland County: All of Hot Springs Village and Diamondhead;~~

13 ~~(6)—Marion County:~~

14 ~~(A)—That part known as Bull Shoals Peninsula, bounded on~~
15 ~~the east and north by White River and Lake Bull Shoals, on the west by the~~
16 ~~Jimmie Creek arm of Lake Bull Shoals, and on the south by the municipal~~
17 ~~boundaries of the City of Bull Shoals;~~

18 ~~(B)—That part of Marion County bounded on the north, west,~~
19 ~~and south by Bull Shoals Lake and on the east by County Roads 355 and 322~~
20 ~~from their intersections with State Highway 202 to the points where they~~
21 ~~respectively dead-end at arms of Bull Shoals Lake;~~

22 ~~(C)—The Yocum Bend Peninsula of Bull Shoals Lake bounded~~
23 ~~on the north and east by Bull Shoals Lake, on the west by Pine Mountain and~~
24 ~~Bull Shoals Lake, and on the south by County Road 30; and~~

25 ~~(D)—Those lands situated in Marion County known as the~~
26 ~~Frost Point Peninsula, not inundated by the waters of Bull Shoals Lake, being~~
27 ~~more particularly described as follows:~~

28 ~~(i)—Section Six, Township Twenty North, Range~~
29 ~~Fifteen West, (Sec. 6—T.20 N.—R.15 W.), lying south of the White River~~
30 ~~channel;~~

31 ~~(ii)—Section One, Township Twenty North, Range~~
32 ~~Sixteen West, (Sec. 1—T.20 N.—R.16 W.); and~~

33 ~~(iii)—East Half of Section Two, Township Twenty~~
34 ~~North, Range Sixteen West, (E ½ Sec. 2—T.20 N.—R.16 W.); North Half of~~
35 ~~the Northeast Quarter of Section Eleven, Township Twenty North, Range Sixteen~~
36 ~~West (N ½—NE ¼ Sec. 11—T.20 N.—R.16 W.); and~~

- 1 ~~(7) A platted subdivision located in an unincorporated area.~~
2 ~~(b) Nothing contained in this section shall be construed to limit or~~
3 ~~restrict or to make unlawful the discharge of a firearm in defense of a~~
4 ~~person or property within the areas described in this section.~~
5 ~~(c) A person who is found guilty or who pleads guilty or nolo~~
6 ~~contendere to violating this section is guilty of a violation and shall be~~
7 ~~fined no less than twenty five dollars (\$25.00) nor more than five hundred~~
8 ~~dollars (\$500).~~
9 ~~(d) This section does not apply to a:~~
10 ~~(1) Law enforcement officer in the performance of his or her~~
11 ~~duties;~~
12 ~~(2) Discharge of a center fire weapon at a firing range~~
13 ~~maintained for the discharging of a center fire weapon; or~~
14 ~~(3) Person possessing a valid concealed handgun license under §~~
15 ~~5-73-301 et seq.~~

16
17 SECTION 8. Arkansas Code § 5-73-130(c), concerning the definition of
18 "unlawfully in possession of a firearm" in regards to seizure and forfeiture
19 of a firearm, is amended to read as follows:

20 (c) As used in this section, "unlawfully in possession of a firearm"
21 does not include any act of possession of a firearm that is prohibited only
22 by:

- 23 ~~(1) Section 5-73-127, unlawful to possess loaded center fire~~
24 ~~weapons in certain areas; or~~
25 ~~(2) A~~ a regulation or rule of the Arkansas State Game and Fish
26 Commission.

27
28 SECTION 9. Arkansas Code § 5-73-301 is amended to read as follows:
29 5-73-301. Definitions.

30 As used in this subchapter:

- 31 (1) "Acceptable electronic format" means an electronic image
32 produced on the person's own cellular phone or other type of portable
33 electronic device that displays all of the information on a concealed handgun
34 license as clearly as an original concealed handgun license;
35 (2) "Concealed" means to cover from observation so as to prevent
36 public view;

1 (3) "Convicted" means that a person pleaded guilty or nolo
2 contendere to or was found guilty of a criminal offense;

3 ~~(4) "Handgun" means any firearm, other than a fully automatic~~
4 ~~firearm, with a barrel length of less than twelve inches (12") that is~~
5 ~~designed, made, or adapted to be fired with one (1) hand;~~

6 ~~(5)~~(4) "Licensee" means a person granted a valid license to
7 carry a concealed handgun pursuant to this subchapter;

8 ~~(6) "Parking lot" means an area, structure, or part of a~~
9 ~~structure designated for the parking of motor vehicles or a designated drop-~~
10 ~~off zone for children at a school;~~

11 ~~(7)~~(5) "Private university or private college" means an
12 institution of higher education that is not a public university, public
13 college, or community college as defined in § 5-73-322; and

14 ~~(8)~~(6) "Retired law enforcement officer" means a person who
15 retired as a certified law enforcement officer from a local or state law
16 enforcement agency with at least ten (10) years of experience as a law
17 enforcement officer.

18
19 SECTION 10. Arkansas Code § 5-73-306(13)(B)(i), concerning possession
20 of a concealed handgun in a kindergarten through grade twelve private school,
21 is amended to read as follows:

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

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

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

28 (c) Allows the licensee to possess a concealed
29 handgun on the developed property of the kindergarten through grade twelve
30 (K-12) private school under ~~§ 5-73-119(e)~~ § 5-73-114(d)(11);

31
32 SECTION 11. Arkansas Code § 5-73-322(d), concerning storage of a
33 handgun in a college-operated student dormitory, is amended to read as
34 follows:

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

1 114(c)(1)(A) and (B).

2

3 SECTION 12. Arkansas Code § 5-73-322(h)(1), concerning carrying a
4 firearm into a publicly owned building with a concealed carry endorsement, is
5 amended to read as follows:

6 (1) Carrying a firearm in a publicly owned building or facility
7 under ~~§ 5-73-122~~ § 5-73-101 et seq., if the firearm is a concealed handgun;
8 and

9

10 SECTION 13. Arkansas Code § 6-10-134(c)(6), concerning notice to the
11 superintendent if a student has been adjudicated delinquent for or convicted
12 of a handgun offense, is amended to read as follows:

13 (6) The unlawful possession of a handgun under ~~§ 5-73-119~~ § 5-
14 73-101 et seq.

15

16 SECTION 14. Arkansas Code § 6-10-134(e)(1)(F), concerning notice to
17 the superintendent if a student has been detained for a handgun offense, is
18 amended to read as follows:

19 (F) The unlawful possession of a handgun under ~~§ 5-73-119~~
20 § 5-73-101 et seq.

21

22 SECTION 15. Arkansas Code § 9-27-303(15)(A)(ii), concerning the
23 definition of "delinquent juvenile" under the Arkansas Juvenile Code, is
24 amended to read as follows:

25 (ii) Has ~~violated § 5-73-119~~ unlawfully possessed a
26 handgun under § 5-73-101 et seq.; or

27

28 SECTION 16. Arkansas Code § 9-27-309(g)(7), concerning notice given to
29 the superintendent of a juvenile who has been adjudicated delinquent for or
30 convicted of a handgun offense, is amended to read as follows:

31 (7) The unlawful possession of a handgun under ~~§ 5-73-119~~ § 5-
32 73-101 et seq.

33

34 SECTION 17. Arkansas Code § 9-27-309(i)(1), concerning a juvenile who
35 has been arrested for a handgun offense, is amended to read as follows:

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

1 under ~~§ 5-73-119~~ § 5-73-101 et seq., an offense involving a deadly weapon
2 under § 5-1-102, or battery in the first degree under § 5-13-201, the
3 arresting agency shall orally notify the superintendent or the designee of
4 the superintendent of the school district to which the juvenile transfers, in
5 which the juvenile is enrolled, or from which the juvenile receives services
6 of the offense for which the juvenile was arrested or detained within twenty-
7 four (24) hours of the arrest or detention or before the next school day,
8 whichever is earlier.

9
10 SECTION 18. Arkansas Code § 9-27-313(d)(1)(A), concerning law
11 enforcement taking a juvenile into custody, is amended to read as follows:

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

17 (i) Unlawful possession of a handgun, ~~§ 5-73-~~
18 ~~119(a)(1)~~ § 5-73-101 et seq.;

19 (ii) Possession of a handgun on school property, §
20 ~~5-73-119(b)(1)~~ § 5-73-101 et seq.;

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

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

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

26
27 SECTION 19. Arkansas Code § 9-27-318(b)(1)(C), concerning filing a
28 felony charge committed by a juvenile into circuit court, is amended to read
29 as follows:

30 (C) Possession of a handgun on school property, ~~§ 5-73-~~
31 ~~119(b)(1)(A)~~ § 5-73-101 et seq.;

32
33 SECTION 20. Arkansas Code § 9-27-318(b)(2), concerning filing a felony
34 charge committed by a juvenile into circuit court, is amended to read as
35 follows:

36 (2) At least fourteen (14) years ~~old~~ of age when he or she

1 engages in conduct that constitutes a felony under ~~§ 5-73-119(a)~~ § 5-73-101
2 et seq.; or

3
4 SECTION 21. The introductory language of Arkansas Code § 9-27-
5 330(c)(1), concerning a juvenile being adjudicated delinquent for possession
6 of a handgun, is amended to read as follows:

7 (c)(1) If a juvenile is adjudicated delinquent for possession of a
8 handgun, as provided in ~~§ 5-73-119~~ § 5-73-101 et seq., or criminal use of
9 prohibited weapons, as provided in § 5-73-104, or possession of a defaced
10 firearm, as provided in § 5-73-107, then the court shall commit the juvenile:

11
12 SECTION 22. Arkansas Code § 9-27-336(b)(3)(A)(i), concerning a
13 limitation to detention for a juvenile, is amended to read as follows:

14 (i) The alleged act would be a misdemeanor or a
15 felony if committed by an adult or is a violation of ~~§ 5-73-119~~ § 5-73-101 et
16 seq.;

17
18 /s/Womack
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