

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

As Engrossed: H4/4/13

# A Bill

HOUSE BILL 1284

5 By: Representatives Murdock, Williams  
6

## 7 For An Act To Be Entitled

8 AN ACT TO AMEND THE LAWS CONCERNING THE CARRYING OF A  
9 CONCEALED HANDGUN IN A CHURCH OR OTHER PLACE OF  
10 WORSHIP; TO EXTEND STATUTORY CHARITABLE IMMUNITY TO A  
11 CHURCH OR OTHER PLACE OF WORSHIP; TO DECLARE AN  
12 EMERGENCY; AND FOR OTHER PURPOSES.  
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## 15 Subtitle

16 TO AMEND THE LAWS CONCERNING THE CARRYING  
17 OF A CONCEALED HANDGUN IN A CHURCH OR  
18 OTHER PLACE OF WORSHIP; TO EXTEND  
19 STATUTORY CHARITABLE IMMUNITY TO A CHURCH  
20 OR OTHER PLACE OF WORSHIP; AND TO DECLARE  
21 AN EMERGENCY.  
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 *SECTION 1. Arkansas Code § 5-73-306(16), as amended by Acts 2013, No*  
27 *67, concerning the carrying of a concealed handgun in a church or other place*  
28 *of worship, is amended to read as follows:*

29 *(16)(A) Any church or other place of worship unless the church*  
30 *or other place of worship decides to allow a licensee to carry a concealed*  
31 *handgun into the church or other place of worship.*

32 *(B) ~~However, this subchapter does not preclude a church or~~*  
33 *~~other place of worship from determining who may carry a concealed handgun~~*  
34 *~~into the church or other place of worship; A church or other place of worship~~*  
35 *~~that decides to allow a licensee to carry a concealed handgun into the church~~*  
36 *~~or other place of worship shall post a sign at least eight inches by ten~~*



1 inches (8" x 10") at each public entrance to the church or other place of  
2 worship stating, at a minimum, that:

3 (i) The church or other place of worship allows a person  
4 with a license to carry a concealed handgun to carry a concealed handgun into  
5 the church or other place of worship; and

6 (ii) There may be a person in the church or other place of  
7 worship who is in possession of a concealed handgun.

8 (C) Depending upon the organizational hierarchy of the church or  
9 other place of worship, the decision whether to allow a licensee to carry a  
10 concealed handgun into a church or other place of worship under subdivision  
11 (16)(A) of this section shall be made by:

12 (i) The most authoritative governing body of the church or  
13 other place of worship; or

14 (ii) The person vested with the ultimate decision-making  
15 authority over the church or other place of worship;

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17 SECTION 2. Arkansas Code Title 16, Chapter 120, is amended to add a  
18 new subchapter to read as follows:

19 Subchapter 5 – Charitable Immunity for a Church or Other Place of Worship

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21 16-120-501. Definitions.

22 (a) As used in this section, "church or other place of worship" means  
23 a physical location where persons congregate to practice a religion.

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25 16-120-502. Charitable immunity for a church or other place of  
26 worship.

27 A church or other place of worship is entitled to charitable immunity  
28 with respect to injury or death caused by a handgun on the premises without  
29 regard to whether the church or other place of worship decides to allow a  
30 concealed handgun into the church or other place of worship.

31  
32 16-120-503. Church or other place of worship not vicariously liable.

33 A church or other place of worship or its agent is not vicariously  
34 liable for the negligence of another person in connection with or as a result  
35 of an act or omission involving a handgun by a person on the property of the  
36 church or other place of worship.

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2 16-120-504. Subchapter supplemental.

3 This subchapter is supplemental to and does not affect any tort  
4 immunity or charitable immunity a church or other place of worship may  
5 otherwise have under the law.

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7 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
8 General Assembly of the State of Arkansas that prior legislation leaves many  
9 questions unanswered concerning the responsibilities of a church or other  
10 place of worship that did not want to allow a concealed carry licensee to  
11 carry a concealed handgun into the church or other place of worship; and that  
12 a church or other place of worship should be charitably immune from incidents  
13 resulting from a handgun discharging on the property of the church or other  
14 place of worship. Therefore, in order to provide clarity to the public and to  
15 a church or other place of worship in the state, an emergency is declared to  
16 exist, and this act being immediately necessary for the preservation of the  
17 public peace, health, and safety shall become effective on:

18 (1) The date of its approval by the Governor;

19 (2) If the bill is neither approved nor vetoed by the Governor,  
20 the expiration of the period of time during which the Governor may veto the  
21 bill; or

22 (3) If the bill is vetoed by the Governor and the veto is  
23 overridden, the date the last house overrides the veto.

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25 */s/Murdock*  
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