

# **Arkansas Firearms and Concealed Carry Laws Study**

## *ALC-Game & Fish/State Police Subcommittee*

### **Final Report to the ALC-Executive Subcommittee**

September 19, 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 exiting 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 voted to include the following legislative recommendations in its final report:

### **III. Recommendations by the Subcommittee.**

<b>RECOMMENDATIONS</b>		<b>BILL</b>
<b>HUNTING RECOMMENDATIONS</b>		
§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
<b>CONCEALED CARRY/OPEN CARRY</b>		
Single Licensing Scheme	Move from 2 licensing schemes to only one.	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	Striking the language taking away the Court’s ability to impose a suspended sentence, order probation, etc.	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 that instead of attaching a misdemeanor or felony, make it a violation with fines similar to a traffic violation.	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)	[For discussion at 09/04 meeting]	JLC174
Bd. Of Corrections vs. Post-Prison Transfer Bd.	Recommend making the 2 provisions consistent.  [For discussion at 09/04 meeting]	TBD
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	JLC175

	concealed carry licenses mandatory rather than permissive language).	
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
<b>LEO RECOMMENDATIONS</b>		
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
<b>OTHER:</b>		
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	Discussion re: possibly increasing fines which were originally set in 1893.  [For discussion at 09/04 meeting]	JLC183
§ 6-5-501 Civil War Reenactments	[For discussion at 09/04 meeting]	TBD

#### **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

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.~~

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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 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 <NA>  
By: Senator <NA>

## 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. LEGISLATIVE INTENT.

SECTION 2. Arkansas Code § 5-73-119 is repealed.

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

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

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

~~(B) A violation of subdivision (a)(1) of this section is a~~

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~~Class D felony if the person has previously;~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24           ~~(8) The person is participating in a certified hunting safety~~  
25 ~~course sponsored by the commission or a firearm safety course recognized and~~  
26 ~~approved by the commission or by a state or national nonprofit organization~~  
27 ~~qualified and experienced in firearm safety;~~

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

30           ~~(10) The person is a minor engaged in lawful marksmanship~~  
31 ~~competition or practice or other lawful recreational shooting under the~~  
32 ~~supervision of his or her parent, legal guardian, or other person twenty-one~~  
33 ~~(21) years of age or older standing in loco parentis or is traveling to or~~  
34 ~~from a lawful marksmanship competition or practice or other lawful~~  
35 ~~recreational shooting with an unloaded handgun or firearm accompanied by his~~  
36 ~~or her parent, legal guardian, or other person twenty-one (21) years of age~~

~~or older standing in loco parentis;~~

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

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

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

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

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

~~(B) 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; or~~

~~(12)(A) The person has a license to carry a concealed handgun under § 5-73-301 et seq., and 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 in a publicly owned and maintained parking lot.~~

~~(B)(i) As used in this subdivision (c)(12), "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 a school.~~

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

SECTION 3. Arkansas Code § 5-73-120 is repealed.

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

~~(a) A person commits the offense of carrying a weapon if he or she possesses a handgun, knife, or club on or about his or her person, in a vehicle occupied by him or her, or otherwise readily available for use with a~~

1 ~~purpose to attempt to unlawfully employ the handgun, knife, or club as a~~  
2 ~~weapon against a person.~~

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

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

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

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

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

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

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

23 ~~(3) The person is assisting a law enforcement officer,~~  
24 ~~correctional officer, or member of the armed forces acting in the course and~~  
25 ~~scope of his or her official duties pursuant to the direction or request of~~  
26 ~~the law enforcement officer, correctional officer, or member of the armed~~  
27 ~~forces;~~

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

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

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

1 ~~hunting game with a handgun;~~

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

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

8 ~~(8) The person is in possession of a concealed handgun and has a~~  
 9 ~~valid license to carry a concealed handgun under § 5-73-301 et seq., or~~  
 10 ~~recognized under § 5-73-321 and is not in a prohibited place as defined by §~~  
 11 ~~5-73-306;~~

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

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

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

21 ~~(12) The person:~~

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

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

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

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

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

32  
 33 SECTION 4. Arkansas Code § 5-73-122 is repealed.

34 ~~5-73-122. Carrying a firearm in publicly owned buildings or facilities.~~

35 ~~(a)(1) Except as provided in § 5-73-322, § 5-73-306(5), § 16-21-147,~~  
 36 ~~and this section, it is unlawful for a person other than a law enforcement~~

1 ~~officer, either on duty or off duty, a security guard in the employ of the~~  
2 ~~state or an agency of the state or any city or county, a member of a~~  
3 ~~municipal fire department bomb squad who is authorized to carry a concealed~~  
4 ~~handgun under § 12-15-204, or any state or federal military personnel, to~~  
5 ~~knowingly carry or possess a loaded firearm or other deadly weapon in any~~  
6 ~~publicly owned building or facility or on the State Capitol grounds.~~

7 ~~(2) It is unlawful for any person other than a law enforcement~~  
8 ~~officer, either on duty or off duty, a security guard in the employ of the~~  
9 ~~state or an agency of the state or any city or county, a member of a~~  
10 ~~municipal fire department bomb squad who is authorized to carry a concealed~~  
11 ~~handgun under § 12-15-204, or any state or federal military personnel, to~~  
12 ~~knowingly carry or possess a firearm, whether loaded or unloaded, in the~~  
13 ~~State Capitol Building or the Arkansas Justice Building in Little Rock.~~

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

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

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

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

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

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

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

34 ~~(2) The Division of Community~~  
35 ~~Correction; or~~

36 ~~(3) A residential treatment facility~~

~~owned or operated by the Division of Youth Services;~~

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

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

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

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

SECTION 5. Arkansas Code § 5-73-306 is repealed.

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

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

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

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

~~(3) [Repealed.]~~

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

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

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

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

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

~~(A) The licensee is:~~



1                   ~~(i) Employed by the county;~~  
2                   ~~(ii) A countywide elected official;~~  
3                   ~~(iii) A justice of the peace; or~~  
4                   ~~(iv)(a) Employed by a governmental entity~~  
5 ~~other than the county with an office or place of employment inside the~~  
6 ~~courthouse, the courthouse annex, or other building owned, leased, or~~  
7 ~~regularly used by the county for conducting court proceedings or housing a~~  
8 ~~county office.~~

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

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

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

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

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

28                   ~~(7) Any meeting place of the governing body of any governmental~~  
29 ~~entity;~~

30                   ~~(8) Any meeting of the General Assembly or a committee of the~~  
31 ~~General Assembly;~~

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

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

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

1                   ~~(B) A person with a concealed carry endorsement under § 5-~~  
2 ~~73-322(g) and who is carrying a concealed handgun may not enter an~~  
3 ~~establishment under this section if the establishment either places a written~~  
4 ~~notice as permitted under subdivision (18) of this section or provides notice~~  
5 ~~under subdivision (19) of this section prohibiting a person with a license to~~  
6 ~~possess a concealed handgun at the physical location;~~

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

10                   ~~(B) A person with a concealed carry endorsement under § 5-~~  
11 ~~73-322(g) and who is carrying a concealed handgun may not enter an~~  
12 ~~establishment under this section if the establishment either places a written~~  
13 ~~notice as permitted under subdivision (18) of this section or provides notice~~  
14 ~~under subdivision (19) of this section prohibiting a person with a license to~~  
15 ~~possess a concealed handgun at the physical location;~~

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

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

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

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

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

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

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

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

1                                   ~~(iv) Carrying a concealed handgun as authorized under~~  
2   ~~§ 5-73-322; or~~

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

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

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

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

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

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

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

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

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

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

entrance.

~~(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~~

1 prohibited.

2 ~~(b) A licensee who receives written or verbal~~  
 3 ~~notification under subdivision (19)(A)(ii)(a) of this section is deemed to~~  
 4 ~~have violated this subdivision (19) if the licensee while carrying a~~  
 5 ~~concealed handgun either remains at or returns to the place owned or operated~~  
 6 ~~by the private entity.~~

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

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

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

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

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

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

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

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

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

21  
 22 SECTION 6. Arkansas Code § 5-73-322 is amended to read as follows:

23 5-73-322. Concealed handguns in a university, college, or community  
 24 college building.

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

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

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

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

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

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

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

3 (B) The private university or private college voluntarily  
4 reports to the board.

5 (b) A licensee ~~who has completed the training required under subsection~~  
6 ~~(g) of this section~~ may possess a concealed handgun in the buildings and on  
7 the grounds of a public university, public college, or community college,  
8 whether owned or leased by the public university, public college, or  
9 community college, unless otherwise prohibited by this section or § ~~5-73-306~~  
10 5-73-601.

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

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

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

25 (C) If a private university or private college permits  
26 carrying a concealed handgun under this section, the private university or  
27 private college may revise any sign or notice required to be posted under §  
28 ~~5-73-306(18)~~ 5-73-601 to indicate that carrying a concealed handgun under  
29 this section is permitted.

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

32 (e)(1) A licensee who may carry a concealed handgun in the buildings  
33 and on the grounds of a public university, public college, or community  
34 college under ~~this section~~ § 5-73-601 may not carry a concealed handgun into  
35 a location in which an official meeting lasting no more than nine (9) hours  
36 is being conducted in accordance with documented grievance and disciplinary

1 procedures as established by the public university, public college, or  
2 community college if:

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

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

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

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

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

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

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

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

24 ~~(2)(A) Training required under this subsection shall:~~  
25 ~~(i) Not be required to be renewed;~~  
26 ~~(ii) Consist of a course of up to eight (8) hours;~~  
27 ~~(iii) Be offered at the training instructor's option~~  
28 ~~at concealed carry training courses; and~~

29 ~~(iv) Cost no more than a nominal amount.~~  
30 ~~(B) The director may waive up to four (4) hours of the~~  
31 ~~training required under this subsection for a licensee based on the~~  
32 ~~licensee's prior training attended within ten (10) years of applying for the~~  
33 ~~endorsement provided for under subdivision (g)(3) of this section on~~  
34 ~~appropriate topics.~~

35 ~~(3) A licensee who completes a training course under this~~  
36 ~~subsection shall be given a concealed carry endorsement by the Division of~~

1 ~~Arkansas State Police on his or her license to carry a concealed handgun~~  
2 ~~indicating that the person is permitted to possess and carry a concealed~~  
3 ~~handgun in the buildings and on the grounds of a public university, public~~  
4 ~~college, or community college.~~

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

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

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

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

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

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

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

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

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

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

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



1  
2 SECTION 7. Arkansas Code § 5-73-323 is amended to read as follows:

3  
4 SECTION 8. Arkansas Code § 5-73-328 is amended to read as follows:

5  
6 SECTION 9. Arkansas Code Title 5, Chapter 73, is amended to add  
7 additional subchapters to read as follows:

8 Subchapter 5 – Possession of a Firearm Without a License

9  
10 5-73-501. Definition.

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

13  
14 5-73-502. Prohibition on minors possessing handguns.

15 (a) No minor in this state shall possess a handgun.

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

18 (2) A violation of this section is a Class D felony if the  
19 person has previously:

20 (A) Been adjudicated delinquent for a violation of this  
21 section;

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

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

26  
27 5-73-503. Persons who may carry without a license.

28 Except as provided in § 5-73-504, a person who is not a minor and who  
29 is not otherwise prohibited from possessing a firearm under state or federal  
30 law, may carry a handgun, whether openly or concealed, in this state without  
31 obtaining a license under § 5-73-301 et seq.

32  
33 5-73-504. Places someone without a license is prohibited from  
34 carrying.

35 (a) A person who carries a handgun under § 5-73-503 shall not  
36 knowingly carry a firearm:

1           (1)(A) Except as provided in subdivision (a)(1)(B) of this  
2 section, in or on the following education-related property:

3                   (i) On the developed property, whether owned or  
4 leased, of a public school, kindergarten through grade twelve (K-12);

5                   (ii) Inside a school bus; or

6                   (iii) On the developed property, whether owned or  
7 leased, of any institution of higher education.

8           (B) The prohibitions in subdivision (a)(1)(A) of this  
9 section do not apply if, at the time of possession of the handgun or firearm,  
10 the person is:

11                   (i) Participating in a certified hunting safety  
12 course sponsored by the Arkansas Game and Fish Commission or a firearm safety  
13 course recognized and approved by the commission or by a state or national  
14 nonprofit organization qualified and experienced in firearm safety;

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

17                   (iii) A minor engaged in a 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           (2) Into buildings that are owned or operated by a municipal,  
26 county, or state government;

27           (3) The State Capitol grounds;

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

30           (5) Any meeting place of the governing body of any governmental  
31 entity;

32           (6) Any athletic event not related to firearms;

33           (7) A portion of an establishment, except a restaurant as  
34 defined in § 3-5-1202, licensed to dispense alcoholic beverages for  
35 consumption on the premises, or where beer or light wine is consumed on the  
36 premises;

1           (8) Inside the passenger terminal of an airport, except that no  
2 person is prohibited from carrying any legal firearm into the passenger  
3 terminal if the firearm is encased for shipment for purposes of checking the  
4 firearm as baggage to be lawfully transported on an aircraft; or

5           (9)(A) A place owned or operated by a person or private entity  
6 that prohibits the carrying of a firearm by:

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

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

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

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

19                   (i) Is carrying a firearm; and

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

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

27           (D) A person or private entity using his, her, or its  
28 authority under subdivision (a)(9)(A)(i) of this section may modify the  
29 wording of signage to indicate whether firearms may be carried:

30                   (i) Openly or only concealed; or

31                   (ii) By unlicensed individuals or only those  
32 with a concealed handgun license.

33           (E) Subdivision (a)(9)(A) of this section does not apply  
34 to the parking lot of a private employer if the person is carrying a handgun  
35 as provided under § 11-5-117.

36           (b) A person who violates subsection (a) of this section upon

1 conviction is guilty of a:

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

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

6 (3) A violation for a violation of subdivision (a)(4), (a)(5),  
7 (a)(6), (a)(7), (a)(8), or (a)(9) of this section, and imposition of a fine  
8 of \$ \_\_\_\_\_ to \$ \_\_\_\_\_ to be ordered by the court.

9  
10 5-73-505. Exemptions – Persons who may carry in certain prohibited  
11 places.

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

13 (1)(A) A law enforcement officer, either on-duty or off-duty.

14 (B) However, an off-duty law enforcement officer carrying  
15 a firearm may be required to be in physical possession of a valid  
16 identification identifying the person as a law enforcement officer;

17 (2) A member of the United States Armed Forces acting in the  
18 course and scope of his or her official duties;

19 (3) A correctional officer acting in the course and scope of his  
20 or her official duties;

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

23 (5) A member of a municipal fire department bomb squad who is  
24 authorized to carry a concealed handgun under § 12-15-204;

25 (6) A person who is assisting a law enforcement officer,  
26 correctional officer, or member of the United States Armed Forces acting in  
27 the course and scope of his or her official duties pursuant to the direction  
28 or request of the law enforcement officer, correctional officer, or member of  
29 the United States Armed Forces;

30 (7) Any person who, with authorization by the court, possess a  
31 firearm in the courtroom of any court or a courthouse of this state;

32 (8) A prosecuting attorney and those deputy prosecuting  
33 attorneys designated by the prosecuting attorney to carry firearms as  
34 provided by § 16-21-147; and

35 (9) A member of the General Assembly, the Governor, Lieutenant  
36 Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney

1 General, or Commissioner of State Lands carrying a handgun onto the State  
2 Capitol grounds, the State Capitol Building, a meeting of the General  
3 Assembly or of a committee of the General Assembly, or the Multi-Agency  
4 Complex.

5  
6 Subchapter 6 – Possession of a Concealed Handgun With a License

7  
8 5-73-601. Carrying with a license.

9 (a) It is unlawful for a person with a license to carry a concealed  
10 handgun to knowingly carry a concealed handgun in the following locations:

11 (1) On the developed property, whether owned or leased, of a  
12 public school, kindergarten through grade twelve (K-12);

13 (2) Inside a school bus;

14 (3) On the developed property, whether owned or leased, of a  
15 private school, kindergarten through grade twelve (K-12), except:

16 (A) A kindergarten through grade twelve (K-12) private  
17 school that allows the licensee to possess a concealed handgun on the  
18 developed property of the kindergarten through grade twelve (K-12) private  
19 school; and

20 (B) Only in compliance with the rules established by the  
21 kindergarten through grade twelve (K-12) private school;

22 (4) Any police station, county sheriff's station, or Division of  
23 Arkansas State Police station;

24 (5) An Arkansas Highway Police Division of the Arkansas  
25 Department of Transportation facility;

26 (6) Any part, including a parking lot, of a:

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

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

30 (7) Any courthouse, courthouse annex, or other building owned,  
31 leased, or regularly used by a county for conducting court proceedings or  
32 housing a county office;

33 (8) Any courtroom, except that a law enforcement officer, either  
34 on-duty or off-duty, officer of the court, bailiff, or other person  
35 authorized by the court is permitted to possess a handgun in the courtroom;

36 (9) A posted firearm-sensitive area, as approved by the Division

1 of Arkansas State Police under § 5-73-325, located at:

2 (A) The Arkansas State Hospital;

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

4 (C) A collegiate athletic event; and

5 (10)(A) A place owned or operated by a person or private entity,  
6 or any place licensed to dispense alcoholic beverages for public consumption,  
7 that prohibits the carrying of a firearm by:

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

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

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

18 (B) A person violates subdivision (a)(10)(A) of this  
19 section if, after having received written or spoken notice under subdivision  
20 (a)(10)(A) of this section, he or she:

21 (i) Is carrying a firearm; and

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

24 (C) The person or entity that exercises control over the  
25 physical location of a place and that chooses not to exercise his, her, or  
26 its authority under this subdivision (a)(10)(A) of this section to prohibit a  
27 person from possessing a firearm is immune from a claim for monetary damages  
28 arising from or related to the decision not to exercise that authority.

29 (D) A person or private entity using his, her, or its  
30 authority under this subdivision (a)(10) of this section may modify the  
31 wording of signage to indicate:

32 (i) Whether firearms may be carried openly or only  
33 concealed; or

34 (ii) Whether firearms may be carried by unlicensed  
35 individuals or only those with an enhanced concealed handgun license.

36 (E) This subdivision (a)(10) does not apply to the parking

1 lot of a private employer and the person is carrying a handgun as provided  
2 under § 11-5-117.

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

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

7 (2) Class C misdemeanor for a violation of subdivision (a)(4),  
8 (a)(5), (a)(6), (a)(7), (a)(8), or (a)(9) of this section; or

9 (3) \_\_\_\_\_ for a violation of subdivision (a)(10) of this  
10 section.

11  
12 5-73-602. Exemptions.

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

14 (1)(A) A law enforcement officer, either on-duty or off-duty.

15 (B) However, an off-duty law enforcement officer carrying  
16 a firearm may be required to be in physical possession of a valid  
17 identification identifying the person as a law enforcement officer;

18 (2) A member of the United States Armed Forces acting in the  
19 course and scope of his or her official duties;

20 (3) A correctional officer acting in the course and scope of his  
21 or her official duties;

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

24 (5) A member of a municipal fire department bomb squad who is  
25 authorized to carry a concealed handgun under § 12-15-204;

26 (6) A person who is assisting a law enforcement officer,  
27 correctional officer, or member of the United States Armed Forces acting in  
28 the course and scope of his or her official duties pursuant to the direction  
29 or request of the law enforcement officer, correctional officer, or member of  
30 the United States Armed Forces;

31 (7) A justice of the Supreme Court or a judge on the Court of  
32 Appeals, who is carrying a concealed handgun in the Arkansas Justice  
33 Building;

34 (8) An officer of the court, bailiff, or other person who, with  
35 authorization by the court, possess a firearm in the courtroom of any court  
36 or a courthouse of this state; or

1           (9) A prosecuting attorney and those deputy prosecuting  
2 attorneys designated by the prosecuting attorney to carry firearms as  
3 provided by § 16-21-147.

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

6           (1) Traveling to or from a hunting area for the purpose of  
7 hunting game with a firearm and the person keeps the handgun or firearm in  
8 his or her personal vehicle;

9           (2) Participating in a:

10           (A) Certified hunting safety course sponsored by the  
11 Arkansas Game and Fish Commission; or

12           (B) Firearm safety course recognized and approved by the  
13 commission or by a state or national nonprofit organization qualified and  
14 experienced in firearm safety;

15           (3) Participating in a school-approved educational course or  
16 sporting activity involving the use of firearms; or

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

25  
26           5-73-603. Concealed handgun in motor vehicle.

27           (a) It is not unlawful for a person with a concealed handgun license  
28 to carry a concealed handgun in his or her motor vehicle, or leave the  
29 concealed handgun in his or her locked and unattended motor vehicle in a  
30 parking lot.

31           (b)(1) "Parking lot" means a designated area or structure or part of a  
32 structure intended for the parking of motor vehicles or a designated drop-off  
33 zone for children at school.

34           (2) As used in subsection (a) of this section, "parking lot"  
35 does not include a parking lot owned, maintained, or otherwise controlled by:

36           (A) The Division of Correction;



1                   (B) The Division of Community Correction; or  
2                   (C) A residential treatment facility owned or operated by  
3 the Division of Youth Services.  
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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  
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.

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

# A Bill

DRAFT JLC/CLJ  
HOUSE BILL

By: Representatives Fortner, 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  
HOUSE BILL

By: Representatives Fortner, 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 AWARING 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 § 12-15-302 is repealed.

16 ~~12-15-302. Award of pistol upon retirement or death of a county~~  
17 ~~sheriff or deputy county sheriff.~~

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

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

24 ~~(2) The deputy county sheriff's spouse if the spouse is eligible~~  
25 ~~under applicable state and federal laws to possess a firearm.~~

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

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

32  
33 SECTION 6. Arkansas Code § 12-27-143 is repealed.

34 ~~12-27-143. Award of service weapon upon retirement or death of~~  
35 ~~department employee.~~

36 ~~When a Department of Corrections employee dies while still employed~~

~~with the department, retires from service with at least twenty (20) years of service, or retires due to an injury obtained in the line of duty, in recognition of and appreciation for the service of the retiring or deceased employee, the Director of the Division of Correction, the Director of the Division of Community Correction, the Board of Corrections, or the Secretary of the Department of Corrections may award the service weapon carried by the employee at the time of his or her retirement from service or death to:~~

~~(1) The employee;~~

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

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

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

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

SECTION 7. Arkansas Code § 14-52-112 is repealed.

~~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.~~

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

6  
7       SECTION 8. Arkansas Code § 15-11-210 is repealed.

8       ~~15-11-210. Award of pistol upon retirement.~~

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

15  
16       SECTION 9. Arkansas Code § 27-65-143 is repealed.

17       ~~27-65-143. Award of pistol, shotgun, or both upon retirement or death.~~

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

25               ~~(1) The officer upon retirement; or~~

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



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

# A Bill

DRAFT JLC/CLJ  
HOUSE BILL

By: Representatives Fortner, 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.

DRAFT

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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 OR OTHER  
OBJECT THROWN AT A TRAIN; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING THE DISCHARGE  
OF A FIREARM AT A TRAIN; AND TO THE  
INCREASE THE FINE THAT MAY BE IMPOSED FOR  
THE DISCHARGE OF A FIREARM OR OTHER  
OBJECT THROWN 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 wantonly, maliciously, or mischievously discharges  
firearms or throws stones, sticks, clubs, or other missiles at, into, or  
against any locomotive, railroad car, or street car on any railroad, he or  
she shall be guilty of 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.

DRAFT

## **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.