

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 94th General Assembly
3 Third Extraordinary Session, 2024
4

A Bill

DRAFT JLC/CLJ
HOUSE BILL

5 By: Representative <NA>
6 By: Senator <NA>
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING FIREARMS; TO AMEND
10 THE LAW CONCERNING POSSESSION OF A FIREARM WITHOUT A
11 LICENSE; TO AMEND THE LAW CONCERNING POSSESSION OF A
12 FIREARM WITH A LICENSE TO CARRY A CONCEALED HANDGUN;
13 AND FOR OTHER PURPOSES.
14
15

Subtitle

16 TO AMEND THE LAW CONCERNING FIREARMS; TO
17 AMEND THE LAW CONCERNING POSSESSION OF A
18 FIREARM WITHOUT A LICENSE; AND TO AMEND
19 THE LAW CONCERNING POSSESSION OF A
20 FIREARM WITH A LICENSE TO CARRY A
21 CONCEALED HANDGUN.
22
23
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

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

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

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

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

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

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

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

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

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 Arkansas Code § 5-73-119 is repealed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28 (b) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 ~~(12) The person:~~

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

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

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

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

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

21
22 SECTION 5. Arkansas Code § 5-73-122 is repealed.

23 ~~5-73-122. Carrying a firearm in publicly owned buildings or facilities.~~

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

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

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

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

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

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

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

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

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

22 (1) The Division of Correction;

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

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

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

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

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

36 (iii) A facility operated by the Division of

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

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

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

5 ~~(b) The University of Arkansas for Medical~~

6 ~~Sciences; or~~

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

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

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

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

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

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

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

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

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

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

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

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

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

6 5-73-134. Carrying a weapon.

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

12 (b) As used in this section:

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

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

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

22 (A) A dirk;

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

24 (C) A razor;

25 (D) An ice pick;

26 (E) A throwing star;

27 (F) A switchblade; or

28 (G) A butterfly knife.

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

32 (1) In his or her own dwelling;

33 (2) In his or her personal vehicle;

34 (3) On a journey;

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

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

1 proprietary interest.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (i) A private university or private college;

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

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

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

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

16 (A) The Arkansas State Hospital;

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

18 (C) A collegiate athletic event.

19
 20 SECTION 9. Arkansas Code § 5-73-322 is amended to read as follows:

21 5-73-322. Concealed handguns in a university, college, or community
 22 college building.

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

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

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

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

31 (2) “Public university, public college, or community college”
 32 includes without limitation a public technical institute.

33 (3) “Public university, public college, or community college”
 34 does not include a private university or private college solely because:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 ~~(i) Not be required to be renewed;~~

24 ~~(ii) Consist of a course of up to eight (8) hours;~~

25 ~~(iii) Be offered at the training instructor's option
 26 at concealed carry training courses; and~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Subchapter 5 – Carrying a Concealed Handgun Without a License

5-73-501. Definition.

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

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

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

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

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

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

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

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

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

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

16 (1) In his or her home;

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

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

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

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

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

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

28 (ii) Inside a school bus; or

29 (iii) On the school facilities, whether owned or
30 leased, of any institution of higher education.

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

34 (i) Participating in a certified hunting safety
35 course sponsored by the Arkansas State Game and Fish Commission or a firearm
36 safety course recognized and approved by the commission or by a state or

1 national nonprofit organization qualified and experienced in firearm safety;

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

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

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

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

17 (3) The State Capitol Building;

18 (4) Any meeting of the General Assembly or a committee of the
19 General Assembly;

20 (5) Any meeting place of the governing body of any governmental
21 entity;

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

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

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

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

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

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

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

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

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

9 (i) Is carrying a firearm; and

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

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

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

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

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

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

26 (3) Violation, for a violation of subdivision (a)(4), (a)(5),
27 (a)(6), (a)(7), (a)(8), or (a)(9) of this section, and imposition of a fine
28 of up to one thousand dollars (\$1,000) per violation.

29
30 5-73-505. Exemptions – Persons who may carry a handgun in certain
31 prohibited places.

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

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

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

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

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

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

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

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

20
 21 Subchapter 6 – Carrying a Concealed Handgun With a License

22
 23 5-73-601. Places a licensee is prohibited from carrying a handgun –
 24 Definition.

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

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

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

31 (2) Inside a school bus;

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

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

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

9 (5) An Arkansas Highway Police Division of the Arkansas
10 Department of Transportation facility;

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

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

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

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

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

24 (A) The Arkansas State Hospital;

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

26 (C) A collegiate athletic event; and

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

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

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

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

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

7 (i) Is carrying a firearm; and

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

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

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

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

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

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

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

27
28 5-73-602. Exemptions.

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

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

32 (B) However, an off-duty law enforcement officer or other
33 official who is permitted to carry a concealed handgun under § 12-15-201 et
34 seq. may be required to be in physical possession of a valid identification
35 identifying the person as a law enforcement officer or other official who is
36 permitted to carry a concealed handgun under § 12-15-201 et seq.;

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

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

7 (4) A Justice of the Supreme Court or a Judge of the Court of
8 Appeals, who is carrying a concealed handgun in the Arkansas Justice
9 Building; or

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

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

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

19 (2) Participating in:

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

22 (B) A firearm safety course recognized and approved by the
23 commission or by a state or national nonprofit organization qualified and
24 experienced in firearm safety; or

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

28
29 5-73-603. Concealed handgun in motor vehicle.

30 (a) It is not unlawful for a licensee to carry a concealed handgun in
31 his or her motor vehicle or to leave the concealed handgun in his or her
32 locked and unattended motor vehicle in a parking lot.

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

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

3 (A) The Department of Corrections; or

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

6
 7 SECTION 14. Arkansas Code § 9-27-303(15), concerning the definition of
 8 "delinquent juvenile" in the Arkansas Juvenile Code of 1989, is amended to
 9 read as follows:

10 (15) "Delinquent juvenile" means:

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

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

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

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

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

22
 23 SECTION 15. Arkansas Code § 9-27-309(g)(7), concerning offenses that
 24 require a prosecuting attorney to notify a school district when juvenile is
 25 adjudicated delinquent, is amended to read as follows:

26 (7) The unlawful possession of a handgun under § ~~5-73-119~~ 5-73-
 27 502.

28
 29 SECTION 16. Arkansas Code § 9-27-309(i)(1), concerning offenses that
 30 require a law enforcement agency to notify a school district when juvenile is
 31 arrested, is amended to read as follows:

32 (i)(1) If a juvenile is arrested for unlawful possession of a firearm
 33 under § ~~5-73-119~~ 5-73-502, an offense involving a deadly weapon under § 5-1-
 34 102, or battery in the first degree under § 5-13-201, the arresting agency
 35 shall orally notify the superintendent or the designee of the superintendent
 36 of the school district to which the juvenile transfers, in which the juvenile

1 is enrolled, or from which the juvenile receives services of the offense for
 2 which the juvenile was arrested or detained within twenty-four (24) hours of
 3 the arrest or detention or before the next school day, whichever is earlier.
 4

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

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

14 (i) Unlawful possession of a handgun, § ~~5-73-~~
 15 ~~119(a)(1)~~ 5-73-502;

16 (ii) Possession of a handgun on school property, §
 17 ~~5-73-119(b)(1)~~ 5-73-504(a)(1);

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

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

22 (v) Criminal use of prohibited weapons, § 5-73-104.
 23

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

30 (C) Possession of a handgun on school property, § ~~5-73-~~
 31 ~~119(b)(1)(A)~~ 5-73-504(a)(1);

32
 33 SECTION 19. Arkansas Code § 9-27-318(b)(2), concerning offenses
 34 involving a juvenile at least fourteen (14) years of age that permit a
 35 prosecuting attorney to file a motion in the juvenile division of circuit
 36 court to transfer a case to the criminal division of circuit court or to

1 designate a juvenile as an extended juvenile jurisdiction offender, is
 2 amended to read as follows:

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

5
 6 SECTION 20. Arkansas Code § 9-27-501(a)(3)(O), concerning offenses
 7 involving a juvenile fourteen (14) or fifteen (15) years of age that permit a
 8 prosecuting attorney to file a motion to designate a juvenile as an extended
 9 juvenile jurisdiction offender, is amended to read as follows:

10 (O) Possession of a handgun on school property, § ~~5-73-~~
 11 ~~119(b)(1)(A)~~ 5-73-504(a)(1);

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

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

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

- 20 (i) Securing a local detention facility;
- 21 (ii) Monitoring inmates in a local detention

22 facility; or

23 (iii) Administering the daily operation of the local
 24 detention facility;

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

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

- 28 (i) In writing;
- 29 (ii) In the possession of the employee of a local

30 detention facility; and

31 (iii) Produced upon demand at the request of any law
 32 enforcement officer or owner or operator of any of the prohibited places
 33 under ~~§ 5-73-306~~ §§ 5-73-504 and 5-73-601;

34
 35 SECTION 22. Arkansas Code § 12-15-202(d), concerning an active or
 36 retired law enforcement officer carrying a concealed handgun in prohibited

1 places, is amended to read as follows:

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

6
 7 SECTION 23. Arkansas Code § 12-15-204(b), concerning member of a
 8 municipal fire department bomb squad carrying a concealed handgun in
 9 prohibited places, is amended to read as follows:

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

13
 14 SECTION 24. Arkansas Code § 12-15-205(c), concerning an active or
 15 retired prosecuting attorney or deputy prosecuting attorney carrying a
 16 concealed handgun in prohibited places, is amended to read as follows:

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

21
 22 SECTION 25. Arkansas Code § 12-15-206(b), concerning an emergency
 23 medical technician carrying a concealed handgun in prohibited places, is
 24 amended to read as follows:

25 (b) An emergency medical technician carrying a concealed handgun under
 26 this section is not subject to the prohibitions and limitations of ~~§ 5-73-306~~
 27 §§ 5-73-504 and 5-73-601.

28
 29 SECTION 26. Arkansas Code § 12-15-207(b), concerning a current or
 30 former judge carrying a concealed handgun in prohibited places, is amended to
 31 read as follows:

32 (b) A current or former district court judge, circuit court judge,
 33 Court of Appeals judge, or Supreme Court justice carrying a concealed handgun
 34 under this section is not subject to the prohibitions and limitations of ~~§ 5-~~
 35 ~~73-306~~ §§ 5-73-504 and 5-73-601.