

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: Representatives Fortner, Wardlaw
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE AWARD OF A FIREARM TO A LAW
9 ENFORCEMENT OFFICER UPON RETIREMENT OR TO THE
10 OFFICER’S FAMILY UPON THE DEATH OF THE OFFICER; TO
11 REPEAL THE VARIOUS STATUTES THAT ARE CURRENTLY IN
12 PLACE AWARDING A FIREARM TO A LAW ENFORCEMENT OFFICER
13 UPON RETIREMENT OR TO THE OFFICER’S FAMILY UPON THE
14 DEATH OF THE OFFICER AND TO PROVIDE A CONSISTENT
15 PROCESS ACROSS AGENCIES; AND FOR OTHER PURPOSES.
16

Subtitle

17
18 CONCERNING THE AWARD OF A FIREARM TO A
19 LAW ENFORCEMENT OFFICER UPON RETIREMENT
20 OR TO THE OFFICER’S FAMILY UPON THE DEATH
21 OF THE OFFICER.
22
23
24

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

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 Arkansas Code § 12-8-214 is repealed.

28 ~~12-8-214. Award of pistol and purchase of shotgun upon retirement or~~
29 ~~death.~~

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

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

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

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

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

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

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

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 Arkansas Code § 12-9-117 is repealed.

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

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

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

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

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

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

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

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

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

~~(1) The officer; or~~

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

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

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

(a) As used in this section:

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

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

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

(C) A State Capitol Police officer;

(D) A county sheriff or deputy sheriff;

(E) An officer of the Department of Corrections;

(F) A municipal police officer;

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

(H) A State Highway Commission officer; and

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

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

1 from service to:

2 (1) The law enforcement officer; or

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

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

11 (1) The law enforcement officer; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 ~~(1) The employee;~~

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

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

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

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

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

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

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

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

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

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

18
19 SECTION 9. Arkansas Code § 15-11-210 is repealed.

20 ~~15-11-210. Award of pistol upon retirement.~~

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

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

29 ~~27-65-143. Award of pistol, shotgun, or both upon retirement or death.~~

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

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