

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: S2/24/03*

# A Bill

Act 348 of 2003  
SENATE BILL 155

5 By: Senators Wooldridge, *Holt, Broadway, B. Johnson, Bryles*  
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## For An Act To Be Entitled

9 AN ACT CONCERNING CERTIFIED LAW ENFORCEMENT  
10 OFFICERS AND RETIRED LAW ENFORCEMENT OFFICERS  
11 CARRYING CONCEALED HANDGUNS; AND FOR OTHER  
12 PURPOSES.  
13

### Subtitle

15 AN ACT CONCERNING CERTIFIED LAW  
16 ENFORCEMENT OFFICERS AND RETIRED LAW  
17 ENFORCEMENT OFFICERS CARRYING CONCEALED  
18 HANDGUNS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 12-15-202 is amended to read as follows:  
24 12-15-202. Eligibility to carry concealed handgun.

25 (a) Any certified law enforcement officer may carry a concealed  
26 handgun if that officer:

27 (1) Is presently in the employ of a public law enforcement  
28 department, office, or agency; and

29 (2) Is authorized by the public law enforcement department,  
30 office, or agency to carry a firearm in the course and scope of his or her  
31 duties; and

32 (3) Is not subject to any disciplinary action by the public law  
33 enforcement department, office, or agency; and

34 (4) Is carrying a badge and appropriate written identification  
35 issued by the public law enforcement department, office, or agency  
36 identifying him or her as a certified law enforcement officer; and



1 (5) Is not otherwise prohibited under ~~state or~~ federal law.

2 (b)(1) Any retired law enforcement officer may carry a concealed  
3 handgun:

4 (A) Who retired from service with a public law enforcement  
5 department, office, or agency for reasons other than mental disability;

6 (B) Who immediately before retirement was a certified law  
7 enforcement officer authorized by a public law enforcement department,  
8 office, or agency to carry a firearm in the course and scope of his or her  
9 duties;

10 (C) Who has nonforfeitable rights to benefits under the  
11 retirement plan of a public law enforcement department, office, or agency;

12 (D) Who is carrying appropriate written identification  
13 issued by a public law enforcement department, office, or agency identifying  
14 him or her as a retired and former certified law enforcement officer;

15 (E) Who is not otherwise prohibited under ~~state or~~ federal  
16 law; and

17 (F) Whose fingerprint impressions are on file with the  
18 Department of Arkansas State Police together with written authorization for  
19 state and national level criminal history record screening.

20 (2) The chief law enforcement officer of the city or county  
21 shall keep a record of all retired law enforcement officers authorized to  
22 carry a concealed handgun in his jurisdiction and shall revoke any  
23 *authorization for good cause shown.*

24 *(3) The Director of the Arkansas State Police shall keep a*  
25 *record of all retired Arkansas State Police officers authorized to carry a*  
26 *concealed handgun in the state and shall revoke any authorization for good*  
27 *cause shown.*

28 (c) Any certified law enforcement officer or retired law enforcement  
29 officer carrying a concealed handgun under this section is not subject to the  
30 prohibitions and limitations of § 5-73-306.

31 ~~(e)~~(d)(1) Any presently employed certified law enforcement officer  
32 authorized by another state to carry a concealed handgun shall be entitled to  
33 the same privilege while in this state, but subject to the same restrictions  
34 of this section, provided that the state which has authorized the officer to  
35 carry a concealed handgun extends the same privilege to presently employed  
36 Arkansas-certified law enforcement officers.

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(2) The Director of the Department of Arkansas State Police shall make a determination as to which states extend the privilege to carry a concealed handgun to presently employed Arkansas-certified law enforcement officers and shall then determine which states' officers' authority to carry concealed handguns will be recognized in Arkansas.

*/s/ Wooldridge*

**APPROVED: 3/13/2003**