

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 69

"TO PROVIDE AN EXEMPTION TO THE CONCEALED HANDGUN LICENSE LAW FOR
MILITARY PERSONNEL; TO PROVIDE FOR TRANSFERRING CONCEALED HANDGUN
LICENSES FROM RECIPROCAL STATES. "

Amendment No. 2 to Senate Bill No. 69.

Amend Senate Bill No. 69 as engrossed, 1/28/03:

Page 2, line 33 add the following new section:

“SECTION 5. Arkansas Code § 5-73-309 is amended to read as follows:
§ 5-73-309. License - Requirements.

The director shall issue a license if the applicant:

(1)(A)~~(i)~~ Is a resident of the state and has been a resident continuously for twelve (12) months or longer immediately preceding the filing of the application.

~~(ii)~~(B) Provided, this shall not apply to any retired city, county, state, or federal law enforcement officer;

~~(B)~~(2) Is twenty-one (21) years of age or older;

~~(C)~~(3) Does not suffer from a mental or physical infirmity which prevents the safe handling of a handgun and has not threatened or attempted suicide;

~~(D)~~~~(i)~~(4)(A) Is not ineligible to possess a firearm by virtue of having been convicted of a felony in a court of this state, of any other state, or of the United States without having been pardoned for same and had firearms possession rights restored; and

~~(ii)~~(B) Is not subject to any federal, state or local law which makes it unlawful to receive, possess or transport any firearm, and has had his or her background checked through the Federal Bureau of Investigation's National Instant Criminal Background Check System;

~~(E)~~~~(i)~~(5)(A) Does not chronically or habitually abuse controlled substances to the extent that his normal faculties are impaired.

~~(ii)~~(B) It shall be presumed that an applicant chronically and habitually uses controlled substances to the extent that his faculties are impaired if the applicant has been voluntarily or involuntarily committed to a treatment facility for the abuse of a controlled substance or has been found guilty of a crime under the provisions of the Uniform Controlled Substances Act, § 5-64-101 et seq., or similar laws of any other state or the United States relating to controlled substances within the three-year period



immediately preceding the date on which the application is submitted;

~~(F)(i)(6)(A)~~ Does not chronically and habitually use alcoholic beverages to the extent that his normal faculties are impaired.

~~(ii)(B)~~ It shall be presumed that an applicant chronically and habitually uses alcoholic beverages to the extent that his normal faculties are impaired if the applicant has been voluntarily or involuntarily committed as an alcoholic to a treatment facility or has been convicted of two (2) or more offenses related to the use of alcohol under the laws of this state or similar laws of any other state or the United States within the three-year period immediately preceding the date on which the application is submitted;

~~(G)(7)~~ Desires a legal means to carry a concealed handgun to defend himself;

~~(H)(8)~~ Has not been adjudicated mentally incompetent;

~~(I)(9)~~ Has not been voluntarily or involuntarily committed to a mental institution or mental health treatment facility;

~~(J)(10)~~ Is not a fugitive from justice;

~~(K)(11)~~ Has satisfactorily completed a training course as prescribed and approved by the director; and

~~(L)(12)~~ Signs a statement of allegiance to the United States Constitution and the Arkansas Constitution; ~~or.~~

~~(2) Is a person who has a valid license to carry a concealed handgun issued by another state and the director determines, without requiring the person to meet the eligibility or fee requirements, that:~~

~~(A) The eligibility requirements to obtain a license to carry a concealed handgun imposed by the other state are at least as rigorous as the eligibility requirements imposed by this section; and~~

~~(B) The other state provides reciprocal licensing privileges to a person who holds a license issued under this subchapter and who has applied for a license to carry a concealed handgun in the other state."~~

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Broadway
PBB/RCK - 020420031332
RCK272

Secretary