

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of Senate Bill No. 724

EXEMPTING A PRIVATE UNIVERSITY OR PRIVATE COLLEGE FROM THE REQUIREMENT THAT IT
POST AT ITS ENTRANCE THAT THE PRIVATE UNIVERSITY OR PRIVATE COLLEGE DOES NOT
PERMIT THE CARRYING OF A CONCEALED HANDGUN.

Amendment No. 1 to Senate Bill No. 724

Amend Senate Bill No. 724 as originally introduced:

Page 1, line 8, delete "AN ACT" and substitute "AN ACT CONCERNING POSSESSION
OF A CONCEALED HANDGUN ON THE PREMISES AND ON THE GROUNDS OF A TEACHING
HOSPITAL;"

AND

Delete the subtitle in its entirety and substitute the following:

"CONCERNING POSSESSION OF A CONCEALED
HANDGUN ON THE PREMISES AND ON THE
GROUNDS OF A TEACHING HOSPITAL; AND
CONCERNING THE POSSESSION OF A CONCEALED
HANDGUN AT A PRIVATE UNIVERSITY OR
PRIVATE COLLEGE."

AND

Page 1, delete line 26, and substitute the following:

"SECTION 1. Arkansas Code § 5-73-101, concerning definitions used for
weapons offenses, is amended to add an additional definition to read as
follows:

(11)(A) "Public teaching hospital" means a publicly funded
institution of higher education that also includes a hospital or other
facility where health care is administered either in an instructional setting
or in another setting.

(B) "Public teaching hospital" includes without limitation
the premises and buildings of the University of Arkansas for Medical Sciences
and the Arkansas State Hospital.

SECTION 2. Arkansas Code § 5-73-122, as amended by House Bill 1249 of
2017, is amended to read as follows:

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



facilities.

(a)(1) Except as provided in §§ 5-73-322 and § 5-73-306, it is unlawful for any person other than a law enforcement officer or a security guard in the employ of the state or an agency of the state, or any city or county, or any state or federal military personnel, to knowingly carry or possess a loaded firearm or other deadly weapon in any publicly owned building or facility or on the State Capitol grounds.

(2) It is unlawful for any person other than a law enforcement officer or a security guard in the employ of the state or an agency of the state, or any city or county, or any state or federal military personnel, to knowingly carry or possess a firearm, whether loaded or unloaded, in the State Capitol Building or the Justice Building in Little Rock.

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

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

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

(C)(i) If 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.

(ii)(a) As used in this subdivision (a)(3)(C), "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 school.

(b) "Parking lot" does not include a parking lot owned, maintained, or otherwise controlled by the Department of Correction or Department of Community Correction;

(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 a:

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

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

(iii) A facility operated by the Department of Correction or the Department of Community Correction; or

(iv) Premises or building owned by, operated by, administered by, or associated in a clinical setting with a public teaching hospital; or

(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 Justice Building.

(4) As used in this section, "facility" means a municipally owned or maintained park, football field, baseball field, soccer field, or

another similar municipally owned or maintained recreational structure or property.

(b)(1) Any person other than a law enforcement officer, officer of the court, or bailiff, acting in the line of duty, or any other person authorized by the court, who possesses a handgun in the courtroom of any court of this state is guilty of a Class D felony, except as permitted under § 5-73-306(5), § 5-73-306(6), or this section.

(2) Otherwise, any person violating a provision of this section is guilty of a Class A misdemeanor.

SECTION 3. Arkansas Code § 5-73-301, concerning definitions involving"

AND

Page 2, delete line 29, and substitute the following:
"licensee to carry a concealed handgun on the premises."

SECTION 5. Arkansas Code § 5-73-322(c)(2), as amended by House Bill 1249 of 2017, is amended to read as follows:

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

~~(B)~~ A private university or private college that adopts a policy only allowing carrying of a concealed handgun under this section ~~shall~~ may post notices as described in § 5-73-306(18) and subdivision ~~(e)(1)(C)(c)(1)(B)~~ of this section.

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

SECTION 6. DO NOT CODIFY. Contingent effectiveness.
This act is effective only if House Bill 1249 of 2017 becomes law."

AND

Appropriately renumber the sections of the bill

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

By: Senator J. Dismang
BPG/TDW - 03-21-2017 15:33:10
BPG572

Secretary