

Hall of the House of Representatives
92nd General Assembly - Regular Session, 2019
Amendment Form

Subtitle of House Bill No. 1655
TO PROTECT VICTIMS OF DOMESTIC ABUSE.

Amendment No. 2 to House Bill 1655

Amend House Bill No. 1655 as engrossed, H3/11/19 (version: 3/11/2019 10:06:00 AM)

Page 1, delete lines 24 through 33, and substitute the following:

"(a) A person who is convicted of any a misdemeanor of offense involving domestic violence shall be notified by the court that it is unlawful for the person to ship, transport, or possess a firearm or ammunition pursuant to under 18 U.S.C. § 922(g)(8) and (9), as they existed on January 1, 2007 2019, and under § 5-73-103.

(b)(1) Upon entering a conviction for a misdemeanor offense involving domestic violence, the court shall indicate on the record of the conviction that the conviction prohibits the person from possessing a firearm and shall cause a copy of the record to be transmitted to the Arkansas Crime Information Center."

AND

Page 2, delete lines 7 through 14, and substitute the following:

"(12) "Misdemeanor offense involving domestic violence" means a misdemeanor crime of domestic violence, as defined in 18 U.S.C. § 921(a)(33), as it existed on January 1, 2019."

AND

Page 2, line 30, insert a new section to read as follows:

"SECTION 4. Arkansas Code § 5-73-103, concerning the offense of possession of a firearm by certain persons, is amended to add an additional subsection to read as follows:

(e) For the purposes of this section, a person is not considered to have been convicted of a misdemeanor offense involving domestic violence unless:

(1) The person was represented by counsel in the case, or knowingly and intelligently waived the right to counsel in the case; and



(2) In the case of a prosecution for a misdemeanor offense involving domestic violence for which a person was entitled to a jury trial in the jurisdiction in which the case was tried, either:

(A) The case was tried by a jury; or

(B) The person knowingly and intelligently waived the right to have the case tried by a jury by pleading guilty or nolo contendere."

The Amendment was read _____

By: Representative Clowney
BPG/BPG - 03-11-2019 14:03:33
BPG457

Chief Clerk