

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

Subtitle of House Bill No. 1694

TO ELIMINATE GUN-FREE ZONES; AND TO REPEAL LAWS IN CONFLICT.

Amendment No. 2 to House Bill 1694

Amend House Bill No. 1694 as engrossed, H3/7/19 (version: 3/7/2019 9:54:21 AM)

Page 1, delete lines 27 through 29, and substitute the following:

"(a)(1) No A person in this state under eighteen (18) years of age shall not possess a handgun.

(2)(A) A violation of subdivision (a)(1) of this section is a Class A"

AND

Page 2, delete lines 4 through 6, and substitute the following:

"~~(b)(1) No A person in this state less than twenty-one (21) years of age shall not possess a firearm:~~

~~(A) Upon upon the developed property of a public or private school, kindergarten through grade twelve (K-12);~~

AND

Page 2, line 23, delete "~~(d)(b)~~" and substitute "~~(d)(c)~~"

AND

Page 2, line 26, delete "~~(e)(c)~~" and substitute "~~(e)(d)~~"

AND

Page 4, line 13, delete "~~(e)(12)(c)(12)~~" and substitute "~~(e)(12)(d)(12)~~"

AND

Page 6, delete line 11 through 36

AND



Page 7, delete lines 1 through 8, and substitute the following:

~~"Class C misdemeanor.~~

SECTION 4. Arkansas Code § 5-73-127 is repealed.

~~5-73-127. Possession of loaded center-fire weapons in certain areas.~~

~~(a) It is unlawful to possess a loaded center-fire weapon, other than a shotgun and other than in a residence or business of the owner, in the following areas:~~

~~(1) Baxter County:~~

~~(A) That part bounded on the south by Highway 178, on the west and north by Bull Shoals Lake, and on the east by the Central Electric Power Corporation transmission line from Howard Creek to Highway 178;~~

~~(B) That part of Bidwell Point lying south of the east-west road which crosses Highway 101 at the Presbyterian Church;~~

~~(C) That part of Bidwell Point lying west of Bennett's Bayou and north of the east-west road which crosses Highway 101 at the Presbyterian Church;~~

~~(D) That part of Baxter County between:~~

~~(i) County Road 139 and Lake Norfolk to the north and west;~~

~~(ii) County Road 151 and Lake Norfolk to the north, west, and south in the Diamond Bay area;~~

~~(iii) The Bluff Road and Lake Norfolk to the west;~~

~~(iv) John Lewis Road (Timber Lake Manor) and Lake Norfolk to the west and south;~~

~~(v) The south end of County Road 91 south of its intersection with John Lewis Road and Lake Norfolk to the south and east; and~~

~~(vi) County Road 150 from its intersection with County Road 93 south and Lake Norfolk to the south and east but not east of County Road 93;~~

~~(2) Benton County:~~

~~(A) That part of the Hobbs Estate north of State Highway 12, west of Rambo Road, and south and east of Van Hollow Creek and the Van Hollow Creek arm of Beaver Lake;~~

~~(B) All of Bella Vista Village; and~~

~~(C) That part bounded on the north by Beaver Lake, on the east by Beaver Lake, on the south by the Hobbs State Management Area boundary from the intersection of State Highway 12 eastward along the boundary to its intersection with the Van Hollow Creek arm of Beaver Lake;~~

~~(3) Benton and Carroll Counties: That part bounded on the north by Highway 62, on the east by Highway 187 and Henry Hollow Creek, and the south and west by Beaver Lake and the road from Beaver Dam north to Highway 62;~~

~~(4) Conway County: That part lying above the rimrock of Petit Jean Mountain;~~

~~(5) Garland County: All of Hot Springs Village and Diamondhead;~~

~~(6) Marion County:~~

~~(A) That part known as Bull Shoals Peninsula, bounded on the east and north by White River and Lake Bull Shoals, on the west by the~~

~~Jimmie Creek arm of Lake Bull Shoals, and on the south by the municipal boundaries of the City of Bull Shoals;~~

~~(B) That part of Marion County bounded on the north, west, and south by Bull Shoals Lake and on the east by County Roads 355 and 322 from their intersections with State Highway 202 to the points where they respectively dead-end at arms of Bull Shoals Lake;~~

~~(C) The Yocum Bend Peninsula of Bull Shoals Lake bounded on the north and east by Bull Shoals Lake, on the west by Pine Mountain and Bull Shoals Lake, and on the south by County Road 30; and~~

~~(D) Those lands situated in Marion County known as the Frost Point Peninsula, not inundated by the waters of Bull Shoals Lake, being more particularly described as follows:~~

~~(i) Section Six, Township Twenty North, Range Fifteen West, (Sec. 6 - T.20 N. - R.15 W.), lying south of the White River channel;~~

~~(ii) Section One, Township Twenty North, Range Sixteen West, (Sec. 1 - T.20 N. - R.16 W.); and~~

~~(iii) East Half of Section Two, Township Twenty North, Range Sixteen West, (E ½ Sec. 2 - T.20 N. - R.16 W.); North Half of the Northeast Quarter of Section Eleven, Township Twenty North, Range Sixteen West (N ½ - NE ¼ Sec. 11 - T.20 N. - R.16 W.); and~~

~~(7) A platted subdivision located in an unincorporated area.~~

~~(b) Nothing contained in this section shall be construed to limit or restrict or to make unlawful the discharge of a firearm in defense of a person or property within the areas described in this section.~~

~~(c) A person who is found guilty or who pleads guilty or nolo contendere to violating this section is guilty of a violation and shall be fined no less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500).~~

~~(d) This section does not apply to a:~~

~~(1) Law enforcement officer in the performance of his or her duties;~~

~~(2) Discharge of a center-fire weapon at a firing range maintained for the discharging of a center-fire weapon; or~~

~~(3) Person possessing a valid concealed handgun license under § 5-73-301 et seq.~~

SECTION 5. Arkansas Code § 5-73-130(c), concerning definitions used concerning seizure and forfeiture of a firearm or motor vehicle, is amended to read as follows:

(c) As used in this section, "unlawfully in possession of a firearm" does not include any act of possession of a firearm that is prohibited only by:

(1) Section 5-73-127, unlawful to possess loaded center-fire weapons in certain areas; or

(2) A regulation of the Arkansas State Game and Fish Commission.

SECTION 6. Arkansas Code Title 5, Chapter 73, Subchapter 1, is amended to add an additional section to read as follows:

5-73-134. Possession of a firearm on public property.

(a) A person may carry a firearm in a publicly owned, leased, or rented building or facility, on public land, on a public roadway, and on a public sidewalk.

(b) This section does not authorize a person to carry a firearm:

(1) Where prohibited by federal law;

(2) Into a facility operated by the Department of Correction, the Department of Community Correction, or the Division of Youth Services, or a county jail;

(3)(A) Into a courtroom without authorization from the presiding judge.

(B) However, a law enforcement officer, officer of the court, bailiff, or any other person who is not a party to the case and authorized by the presiding judge is permitted to possess a handgun in the courtroom of any court or a courthouse of this state;

(4) At a public college or public university sporting event;

(5) Into the Arkansas State Hospital;

(6) Into a facility on the campus of the University of Arkansas for Medical Sciences; or

(7) The Arkansas Justice Building.

(c) This section does not:

(1) Apply to the rights of a private landowner to allow or prohibit the possession of a firearm on the private landowner's property;

(2) Prohibit a public college or public university from developing a policy concerning possession of an unconcealed handgun; or

(3) Supersede any law prohibiting certain persons from possessing a firearm.

(d)(1) To the extent that the requirements or prohibitions under § 5-73-301 et seq. are more restrictive than this section, the Department of Arkansas State Police may waive the requirements or prohibitions in order to conform with this section.

(2) A restriction under § 5-73-301 et seq. shall not apply to a person who does not hold a license to carry a concealed handgun under § 5-73-301 et seq."

The Amendment was read _____
By: Representative Womack
BPG/NRH - 03-13-2019 15:07:45
BPG492

Chief Clerk