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A.C.A. § 1-4-138



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## A.C.A. § 1-4-138

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[AR - Arkansas Code Annotated](#) [Title 1 General Provisions](#) [Chapter 4 State Symbols, Motto, Etc.](#)

### **1-4-138.** State firearm.

The shotgun is designated the official firearm of the State of Arkansas.

### History

Acts 2019, No. 685, § 2.

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A.C.A. § 5-71-228



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**A.C.A. § 5-71-228**[Copy Citation](#)

Current through all legislation of the 2023 Regular Session and the 2023 First Extraordinary Session.

**AR - Arkansas Code Annotated**   **Title 5 Criminal Offenses**   **Subtitle 6. Offenses Against Public Health, Safety, or Welfare**   **Chapter 71 Riots, Disorderly Conduct, Etc.**   **Subchapter 2 — Offenses Generally**

**5-71-228. Obstruction of shooting, hunting, fishing, or trapping activities.****(a)**

**(1)** It is unlawful for any person to willfully obstruct or impede the participation of any individual in the lawful activity of shooting, hunting, fishing, or trapping in this state.

**(2)** Nothing in this section prohibits a landowner or lessee from exercising his or her lawful right to prohibit hunting, fishing, or trapping on his or her land, or from exercising any other legal right.

**(b)**

**(1)** A court of general jurisdiction may enjoin conduct that would be in violation of subsection (a) of this section upon petition by a person affected or who reasonably may be affected by the conduct upon a showing that the conduct is threatened or that it has occurred on a particular premises in the past and that it is not unreasonable to expect that under similar circumstances the conduct will be repeated.

**(2)**

**(A)** A court of general jurisdiction may award damages, that may include an award for punitive damages, to any person adversely affected by a violation of subsection (a) of this section.

**(B)** In addition to any other item of special damages, the measure of damages may include expenditures of the affected person for license and permit fees, travel, guides, special equipment, and supplies, to the extent that the expenditures were rendered futile by prevention of taking of a wild animal or fish.

**(c)**

**(1)**

**(A)** Any person violating a provision of this section and in possession of a firearm is guilty of a Class A misdemeanor.

**(B)** Otherwise, a violation of this section is a Class B misdemeanor.

**(2)** If the person violating this section holds an Arkansas hunting, fishing, or trapping license at the time of conviction, the license is revoked.

**(d)** This section does not prevent a game warden or other law enforcement officer from performing his or her duties.

## History

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Acts 1991, No. 149, §§ 1-4; 2005, No. 1994, § 483; 2023, No. 852, § 2.

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Document:

A.C.A. § 15-42-104



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**A.C.A. § 15-42-104**[Copy Citation](#)

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[AR - Arkansas Code Annotated](#)   [Title 15 Natural Resources and Economic Development](#)   [Subtitle 4. Wildlife Resources](#)   [Chapter 42 Licenses](#)   [Subchapter 1 — General Provisions](#)

**15-42-104. Hunting and fishing licenses for residents — Special fees.****(a)**

**(1)** The maximum fee for the annual resident basic hunting license for any resident of the State of Arkansas who is sixteen (16) years of age or older for the privilege of taking small game and the taking of one (1) deer by the use of a modern center-fire firearm shall be as provided by the regulations and within the bag limits promulgated by the Arkansas State Game and Fish Commission but shall not exceed eleven dollars and fifty cents (\$11.50) each until July 1, 1997, when the maximum fee shall revert to ten dollars and fifty cents (\$10.50).

**(2)** The maximum fee for the annual resident sportsman hunting license for any resident of the State of Arkansas who is sixteen (16) years of age or older for the privilege of taking three (3) deer and all other game by any method of taking shall be as provided by the regulations and within the bag limits promulgated by the commission but shall not exceed twenty-six dollars (\$26.00) each until July 1, 1997, when the maximum fee shall revert to twenty-five dollars (\$25.00) each.

**(3)** In addition to the annual resident basic and sportsman hunting license fees authorized in this subsection, the commission by regulation may provide that any resident of this state who is sixteen (16) years of age or older be required:

**(A)** For the privilege of hunting migratory birds in this state, to obtain a special permit and pay a special annual fee not to exceed seven dollars (\$7.00) each;

**(B)** For the privilege of taking a bonus deer in addition to the deer authorized with the basic hunting license and the sportsman hunting license, to obtain a special permit and pay a special fee not to exceed ten dollars (\$10.00) each; and

**(C)** For the privilege of hunting elk in this state, to obtain a special permit and pay a special annual fee not to exceed thirty-five dollars (\$35.00) each.

**(4)** Nothing contained herein is intended to restrict the authority of the commission to charge any resident of the state an additional fee solely for the purpose of entering upon and hunting upon any land owned or leased by the commission.

**(b)**

**(1)** The maximum fee for the annual resident fishing license for any resident of the State of Arkansas who is sixteen (16) years of age or older shall be as provided by the regulations promulgated by the commission but shall not exceed eleven dollars and fifty cents (\$11.50) each until July 1, 1997, when the maximum fee shall revert to ten dollars and fifty cents (\$10.50) each.

**(2)** In addition to the annual resident fishing license fee authorized in this subsection, the commission by regulation may provide that any resident of this state sixteen (16) years of age or older be required for the privilege of fishing for trout in this state to obtain a special permit and pay a special annual fee not to exceed ten dollars (\$10.00).

**(3)** In lieu of the annual resident fishing license fee authorized in this subsection, the commission by regulation may provide that any resident of this state sixteen (16) years of age or older be authorized to purchase a three-day-trip fishing license for a fee not to exceed seven dollars and fifty cents (\$7.50) each until July 1, 1997, when the maximum fee shall revert to six dollars and fifty cents (\$6.50) each.

**(c)** The maximum fee for the annual resident combination sportsman hunting and fishing license for any resident of the State of Arkansas who is sixteen (16) years of age or older for all hunting and fishing privileges except those covered by the migratory bird and trout permits shall be as provided by the regulations and within the bag limits as promulgated by the commission but shall not exceed thirty-seven dollars and fifty cents (\$37.50) each until July 1, 1997, when the maximum fee shall revert to thirty-five dollars and fifty cents (\$35.50).

**(d)**

**(1)** The commission:

**(A)** Shall provide for the issuance of a lifetime hunting and fishing license, with an optional lifetime trout stamp and lifetime state duck stamp, to a resident of this state who is:

**(i)** Sixty-five (65) years of age or older for a one-time fee of thirty-five dollars and fifty cents (\$35.50);

**(ii)** Any age for a one-time fee of one thousand dollars (\$1,000); or

**(iii)** Sixty (60) years of age or older who is a regular or nonregular retiree of the armed services of the United States for a one-time fee of thirty-five dollars and fifty cents (\$35.50); and

**(B)** May provide for the issuance of:

**(i)** A lifetime hunting and fishing license, with an optional lifetime trout stamp and lifetime state duck stamp, to a resident of this state who is ten (10) years of age or younger for a one-time fee of five hundred dollars (\$500);

**(ii)** A lifetime hunting-only license or a lifetime fishing-only license for a fee that shall not exceed the fee that the resident would be charged otherwise for the issuance of a lifetime license under subdivision (d)(1)(A) of this section;

**(iii)** An annual resident sportsman hunting license to a resident of the state who is sixty-five (65) years of age or older for a fee not to exceed three dollars and fifty cents (\$3.50);

**(iv)** An annual resident fishing license to a resident of the state who is sixty-five (65) years of age or older for a fee not to exceed three dollars and fifty cents (\$3.50); and

**(v)** An annual resident combination hunting and fishing license to a resident of the state who is sixty-five (65) years of age or older for a fee not to exceed four dollars and fifty cents (\$4.50).

**(2)** The commission shall offer a resident issued a lifetime hunting and fishing license under subdivision (d)(1)(A) of this section or subdivision (d)(1)(B)(i) of this section, a lifetime hunting-only license or a lifetime fishing-only license under subdivision (d)(1)(B) of this section, or a lifetime hunting license or a lifetime fishing license under § 15-42-128:

**(A)** A lifetime trout stamp for a one-time fee of ten dollars (\$10.00);

**(B)** A lifetime state duck stamp for a one-time fee of seven dollars (\$7.00); or

**(C)** Both a lifetime trout stamp and a lifetime state duck stamp for a one-time fee of seventeen dollars (\$17.00).

**(3)** The commission:

**(A)** Shall provide for the issuance of a three-year disabled hunting and fishing license to a resident of this state who is totally disabled for a fee of thirty-five dollars and fifty cents (\$35.50); and

**(B)** May provide for the issuance of a hunting-only license or a fishing-only license to a resident of this state who is totally disabled for a fee that shall not exceed thirty-five dollars and fifty cents (\$35.50).

**(e)** For this section, the commission may promulgate rules that:

**(1)** Define "resident" and "totally disabled"; and

**(2)** Govern the sale and use of each license, permit, or stamp issued under this section.

**(f)**

**(1)** When a resident purchases a license, permit, or stamp with an approved credit card, debit card, or other electronic payment method, the commission may assess a transaction fee not to exceed the fee the payment processor charges the commission for allowing the commission to accept the approved credit card, debit card, or other electronic payment method as the resident's payment for the license, permit, or stamp.

**(2)** The transaction fee authorized under subdivision (f)(1) of this section shall be in addition to the fees and maximum fees set forth in this chapter.

## History

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Acts 1987, No. 910, §§ 1-4; 1987, No. 939, § 18; 1987 (1st Ex. Sess.), No. 1, §§ 2, 3; 1989, No. 49, § 1; 1989, No. 219, § 1; 1995, No. 369, § 1; 1999, No. 987, § 1; 2003, No. 428, § 1; 2009, No. 623, § 1; 2011, No. 302, § 1; 2013, No. 1253, §§ 1-3; 2015, No. 368, § 1; 2019, No. 886, §§ 2, 3; 2023, No. 755, §§ 1-3.

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A.C.A. § 15-43-105



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**AR - Arkansas Code Annotated**   **Title 15 Natural Resources and Economic Development**   **Subtitle 4. Wildlife Resources**   **Chapter 43 Hunting And Fishing Regulations**   **Subchapter 1 — General Provisions**

**15-43-105. Prima facie evidence of hunting and fishing.**

- (a) The possession of firearms in fields, forests, along streams, or in any location known to be game cover shall be considered prima facie evidence that the possessor is hunting.
- (b) The possession of tackle, nets, spears, or other instruments usually used in fishing on or in the vicinity of lakes and streams shall be considered prima facie evidence that the possessor is fishing.

## History

Acts 1943, No. 146, § 9; A.S.A. 1947, § 47-502.

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## A.C.A. § 15-43-205

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### **15-43-205.** Negligent discharge of firearms while hunting deer.

**(a)** The General Assembly has become aware of the fact that many persons hunting deer in this state negligently allow their firearms to be discharged without exercising proper care to ascertain the object at which they shoot, thereby endangering the life, limb, and property of other persons. It is the intent of this section to deter the negligent use of firearms by deer hunters by imposing penalties therefor.

**(b)** A person who, while hunting deer, negligently discharges a firearm in such circumstances as to endanger the person or property of another shall be fined in an amount not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) or may be imprisoned in the county jail for a period not less than thirty (30) days nor more than six (6) months, or be both fined and imprisoned.

### History

Acts 1965, No. 412, §§ 1, 2; A.S.A. 1947, §§ 47-535, 47-535n.

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A.C.A. § 15-43-238



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[AR - Arkansas Code Annotated](#)   [Title 15 Natural Resources and Economic Development](#)   [Subtitle 4. Wildlife Resources](#)   [Chapter 43 Hunting And Fishing Regulations](#)   [Subchapter 2 — Hunting](#)

**15-43-238. Hunter training and safety program.**

(a) The General Assembly finds and determines that:

(1) The management of the state's wildlife and the regulation of hunting and hunters in the state are the primary responsibilities of the Arkansas State Game and Fish Commission under Arkansas Constitution, Amendment 35;

(2) Properly regulated and controlled hunting is one of the most important single game management tools available in the propagation and management of wildlife;

(3) Untrained and improperly trained hunters account for a great percentage of the loss of game in this state as a result of the crippling of wildlife;

(4) The number of hunting accidents in the state is increasing annually and that this increase in hunter accidents is due primarily to the lack of training or the improper training of hunters;

(5) The establishment of a hunter training and safety program in this state would greatly improve and facilitate not only hunter safety but game management programs designed to improve the highly popular sport in this state; and

(6) It is the purpose and intent of this section to authorize the commission to establish and operate a hunter safety and training program in this state and to designate the commission as the appropriate agency to receive federal funds that may be or become available to the State of Arkansas for the establishment and operation of such program under Pub. L. 91-503 or other congressional acts presently in effect or hereafter enacted.

(b) The commission is authorized and encouraged to establish, maintain, and operate a program of hunter training and hunter safety in this state. The program shall include, but not be limited to, a course of instruction designed to teach the safe and proper handling of firearms, the suitability and effectiveness of various types of firearms for hunting the various types of game, the effective range and relative killing power of various firearms, the best

placement of shots on large game to assure clean kills and fewer wounded game animals resulting from hunting in this state, and any other related matters deemed appropriate by the commission.

**(c)** The commission is designated as the appropriate state agency to receive, distribute, and disburse all federal funds available to the state under the provisions of Pub. L. 91-503 and similar or related congressional acts now in existence or hereafter enacted. The commission is authorized to use funds in the Game Protection Fund to match federal funds to carry out the provisions of this section.

**(d)** The commission is authorized to adopt and enforce rules and regulations it shall deem appropriate and necessary to properly carry out the purposes and intent of this section.

## History

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Acts 1971, No. 720, §§ 2-4; A.S.A. 1947, §§ 47-538, 47-538n, 47-539, 47-540.

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**Document:****Ark. Const. Amendment 88, §1**[< Previous](#)[Next >](#)**Ark. Const. Amendment 88, §1**[Copy Citation](#)

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[AR - Arkansas Constitution](#) [Constitution Of The State Of Arkansas Of 1874](#) [AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874](#) [AMEND. 88. \[WILDLIFE CONSERVATION AND MANAGEMENT\].](#)

**§ 1. [Right to Hunt, Fish, Trap, and Harvest Wildlife]****(a)**

**(1)** Citizens of the State of Arkansas have a **right to hunt, fish, trap, and harvest wildlife**.

**(2)** The **right to hunt, fish, trap, and harvest wildlife** shall be subject only to regulations that promote sound **wildlife** conservation and management and are consistent with Amendment 35 of the Arkansas Constitution.

**(b)** Public **hunting, fishing, and trapping** shall be a preferred means of managing and controlling nonthreatened species and citizens may use traditional methods for **harvesting wildlife**.

**(c)** Nothing in this amendment shall be construed to alter, repeal, or modify:

**(1)** Any provision of Amendment 35 to the Arkansas Constitution;

**(2)** Any common law or statute relating to trespass, private property **rights**, eminent domain, public ownership of property, or any law concerning firearms unrelated to **hunting**;

or

**(3)** The sovereign immunity of the State of Arkansas.

Constitution Of The State Of Arkansas Of 1874

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