

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

SENATE BILL 275

4  
5 By: Senator Glover  
6 By: Representatives Schulte, L. Evans

## For An Act To Be Entitled

10 AN ACT CONCERNING THE UNIFORM MACHINE GUN ACT;  
11 AND FOR OTHER PURPOSES.

### Subtitle

14 AN ACT CONCERNING THE UNIFORM MACHINE  
15 GUN ACT.

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. Arkansas Code § 5-73-205 is amended to read as follows:  
21 5-73-205. Presumption of offensive or aggressive purpose.

22 (a) Possession or use of a machine gun shall be presumed to be for  
23 offensive or aggressive purpose:

24 (1) When the machine gun is on premises not owned or rented, for  
25 bona fide permanent residence or business occupancy, by the person in whose  
26 possession the machine gun may be found; or

27 (2) When in the possession of, or used by, an unnaturalized  
28 foreign-born person, or a person who has been convicted of a crime of  
29 violence in any court of record, state or federal, of the United States of  
30 America, its territories or insular possessions; or

31 (3) When the machine gun is of the kind described in § 5-73-209  
32 and has not been registered as in said section required; or

33 (4) When empty or loaded pistol shells of 30 (.30 in. or 7.63  
34 mm.) or larger caliber which have been or are susceptible of use in the  
35 machine gun are found in the immediate vicinity thereof.

36 (b) A machine gun is exempt from the presumption of offensive or



1 aggressive purpose if:

2 (1) The machine gun has been registered under the National  
3 Firearms Act, 26 U.S. Code Chapter 53, or the Gun Control Act, 18 U.S. Code  
4 Chapter 44;

5 (2) The machine gun is being used in a non-offensive and non-  
6 aggressive manner by the person or the representative of the business, firm,  
7 partnership, or corporation that the machine gun is registered to; and

8 (3) The person is not prohibited from the possession of a  
9 firearm by any state or federal law.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36