

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 86th General Assembly
3 Regular Session, 2007
4

A Bill

SENATE BILL 215

5 By: Senator T. Smith
6 By: Representative Sample
7

For An Act To Be Entitled

10 AN ACT CONCERNING THE CERTIFICATION OF RETIRED
11 LAW ENFORCEMENT OFFICERS TO CARRY A CONCEALED
12 HANDGUN; AND FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT CONCERNING THE CERTIFICATION OF
16 RETIRED LAW ENFORCEMENT OFFICERS TO
17 CARRY A CONCEALED HANDGUN.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 12-15-202 is amended to read as follows:
23 12-15-202. Eligibility to carry concealed handgun.

24 (a) Any certified law enforcement officer may carry a concealed
25 handgun if that officer is:

26 (1) Presently in the employ of a public law enforcement
27 department, office, or agency;

28 (2) Authorized by the public law enforcement department, office,
29 or agency to carry a firearm in the course and scope of his or her duties;

30 (3) Not subject to any disciplinary action by the public law
31 enforcement department, office, or agency;

32 (4) Carrying a badge and appropriate written identification
33 issued by the public law enforcement department, office, or agency
34 identifying him or her as a certified law enforcement officer; and

35 (5) Not otherwise prohibited under federal law.

36 (b)(1) A concealed handgun may be carried by any retired law



1 enforcement officer who:

2 (A) Retired from service with a public law enforcement
3 department, office, or agency for reasons other than mental disability;

4 (B) Immediately before retirement was a certified law
5 enforcement officer authorized by a public law enforcement department,
6 office, or agency to carry a firearm in the course and scope of his or her
7 duties;

8 (C) Has nonforfeitable rights to benefits under the
9 retirement plan of a public law enforcement department, office, or agency;

10 (D) Is carrying appropriate written identification issued
11 by a public law enforcement department, office, or agency identifying him or
12 her as a retired and former certified law enforcement officer;

13 (E) Is not otherwise prohibited under federal law; ~~and~~

14 (F) Has fingerprint impressions on file with the
15 Department of Arkansas State Police together with written authorization for
16 state and national level criminal history record screening; and

17 (G) During the most recent twelve-month period has met, at
18 the expense of the retired law enforcement officer, the standards of this
19 state for training and qualification for active law enforcement officers to
20 carry firearms.

21 (2)(A) The chief law enforcement officer of the city or county
22 shall keep a record of all retired law enforcement officers authorized to
23 carry a concealed handgun in his or her jurisdiction and shall revoke any
24 authorization for good cause shown.

25 (B) The Director of the Department of Arkansas State
26 Police shall keep a record of all retired department officers authorized to
27 carry a concealed handgun in the state and shall revoke any authorization for
28 good cause shown.

29 (c)(1)(A) A firearms instructor certified by the Arkansas Commission
30 on Law Enforcement Standards and Training who is employed by any law
31 enforcement agency in this state may certify or recertify that a retired law
32 enforcement officer has met the training and qualification requirements for
33 certification set by the Arkansas Commission on Law Enforcement Standards and
34 Training for active law enforcement officers to carry firearms.

35 (B) A retired law enforcement officer shall pay the
36 expenses for meeting the training and qualification requirements described in

1 subdivision (c)(1)(A) of this section.

2 (2) A firearms instructor who certifies or recertifies that a
3 retired law enforcement officer has met the training and qualification
4 requirements for certification set by the Arkansas Commission on Law
5 Enforcement Standards and Training for active law enforcement officers to
6 carry firearms under subdivision (c)(1)(A) of this section shall complete and
7 submit any required paperwork to the Arkansas Commission on Law Enforcement
8 Standards and Training.

9 ~~(e)~~(d) Any certified law enforcement officer or retired law
10 enforcement officer carrying a concealed handgun under this section is not
11 subject to the prohibitions and limitations of § 5-73-306.

12 ~~(d)~~(e)(1) Any presently employed certified law enforcement officer
13 authorized by another state to carry a concealed handgun shall be entitled to
14 the same privilege while in this state, but subject to the same restrictions
15 of this section, provided that the state which has authorized the officer to
16 carry a concealed handgun extends the same privilege to presently employed
17 Arkansas-certified law enforcement officers.

18 (2) The director shall make a determination as to which states
19 extend the privilege to carry a concealed handgun to presently employed
20 Arkansas-certified law enforcement officers and shall then determine which
21 states' officers' authority to carry concealed handguns will be recognized in
22 Arkansas.

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