

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

As Engrossed: H3/18/19

# A Bill

SENATE BILL 403

5 By: Senator Irvin  
6 By: Representatives Vaught, A. Davis  
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## For An Act To Be Entitled

9 AN ACT CONCERNING THE DISPOSITION OF A SEIZED AND  
10 FORFEITED FIREARM; AND FOR OTHER PURPOSES.  
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## Subtitle

14 CONCERNING THE DISPOSITION OF A SEIZED  
15 AND FORFEITED FIREARM.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 5-73-130(k) and (l), concerning the  
21 disposition of a seized and forfeited firearm, are amended to read as  
22 follows:

23 (k) Upon filing the petition, the prosecuting attorney for the  
24 judicial district may also seek ~~such protective orders as are necessary~~ a  
25 protective order to prevent the transfer, encumbrance, or other disposal of  
26 any property named in the petition.

27 (l) The law enforcement agency to which ~~the property~~ a motor vehicle  
28 is forfeited shall either:

29 ~~(1) Destroy any forfeited firearm; and~~

30 ~~(2) Either:~~

31 ~~(A)~~ (1) Sell the motor vehicle in accordance with subsection (m)  
32 of this section; or

33 ~~(B)~~ (2) If the motor vehicle is not subject to a lien that has  
34 been preserved by the circuit court, retain the motor vehicle for official  
35 use.  
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1 SECTION 2. Arkansas Code § 5-73-130, concerning the disposition of a  
2 forfeited firearm, is amended to add an additional subsection to read as  
3 follows:

4 (p)(1) The law enforcement agency to which a firearm is forfeited may  
5 trade the firearm to a federally licensed firearms dealer for credit toward  
6 future purchases by the law enforcement agency.

7 (2) If the firearm is unable to be traded to a federally  
8 licensed firearms dealer, the law enforcement agency may dispose of the  
9 firearm as the law enforcement agency deems appropriate.

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11 /s/Irvin  
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