

Stricken language would be deleted from and underlined language would be added to present law.
Act 226 of the Regular Session

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H2/13/13
A Bill

HOUSE BILL 1243

5 By: Representatives Collins, Alexander, D. Altes, Ballinger, Barnett, Bell, Davis, Deffenbaugh, Dotson,
6 Eubanks, Farrer, Fite, Gillam, Gossage, Hammer, Harris, House, Hutchison, Kerr, Linck, Lowery, S.
7 Malone, D. Meeks, Miller, Neal, Payton, Scott, Wardlaw, Westerman, Womack
8 By: Senators Hester, J. Woods
9

10 **For An Act To Be Entitled**

11 AN ACT TO ALLOW TRAINED AND LICENSED STAFF AND
12 FACULTY TO CARRY A CONCEALED HANDGUN ON A UNIVERSITY,
13 COLLEGE, OR COMMUNITY COLLEGE CAMPUS UNDER CERTAIN
14 CIRCUMSTANCES; AND FOR OTHER PURPOSES.
15
16

17 **Subtitle**

18 TO ALLOW TRAINED AND LICENSED STAFF AND
19 FACULTY TO CARRY A CONCEALED HANDGUN ON A
20 UNIVERSITY, COLLEGE, OR COMMUNITY COLLEGE
21 CAMPUS UNDER CERTAIN CIRCUMSTANCES.
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 5-73-119(c)(1), regarding possession of a
27 handgun by a minor on school property, is amended to read as follows:

28 (c)(1) ~~No~~ Except as provided in § 5-73-322, ~~no~~ a person in this state
29 shall not possess a handgun upon the property of any private institution of
30 higher education or a publicly supported institution of higher education in
31 this state on or about his or her person, in a vehicle occupied by him or
32 her, or otherwise readily available for use with a purpose to employ the
33 handgun as a weapon against a person.
34

35 SECTION 2. Arkansas Code § 5-73-122(a)(1), regarding the carrying of a
36 firearm in publicly owned buildings or facilities, is amended to read as



1 follows:

2 (a)(1) ~~It~~ Except as provided in § 5-73-322, it is unlawful for any
3 person other than a law enforcement officer or a security guard in the employ
4 of the state or an agency of the state, or any city or county, or any state
5 or federal military personnel, to knowingly carry or possess a loaded firearm
6 or other deadly weapon in any publicly owned building or facility or on the
7 State Capitol grounds.

8

9 SECTION 3. Arkansas Code § 5-73-306(14), regarding the carrying of
10 concealed weapons in certain places, is amended to read as follows:

11 (14) ~~Any~~ A school, college, community college, or university campus
12 building or event, ~~unless:~~

13 (A) for ~~For~~ the purpose of participating in an authorized
14 firearms-related activity; or

15 (B) Otherwise provided for in § 5-73-322;

16

17 SECTION 4. Arkansas Code § 5-73-306(19), regarding the carrying of
18 concealed weapons in certain places, is amended to read as follows:

19 (19)(A)(i) Any place at the discretion of the person or entity
20 exercising control over the physical location of the place by placing at each
21 entrance to the place a written notice clearly readable at a distance of not
22 less than ten feet (10') that "carrying a handgun is prohibited".

23 ~~(B)-(i)-(ii)(a)~~ If the place does not have a roadway
24 entrance, there shall be a written notice placed anywhere upon the premises
25 of the place.

26 ~~(ii)(b)~~ In addition to the requirement of
27 subdivision ~~(19)-(B)-(i)-(19)(A)ii)(a)~~ of this section, there shall be at least
28 one (1) written notice posted within every three (3) acres of a place with no
29 roadway entrance.

30 ~~(C)-(iii)~~ A written notice as described in
31 subdivision (19)(A) of this section is not required for a private home.

32 ~~(D)-(iv)~~ Any licensee entering a private home shall
33 notify the occupant that the licensee is carrying a concealed handgun.

34 (B) Subdivision (19)(A) of this section does not apply if
35 the physical location is a public university, public college, or community
36 college, as defined in § 5-73-322, and the licensee is carrying a concealed

1 handgun as provided under § 5-73-322.

2

3 SECTION 5. Arkansas Code Title 5, Chapter 73, Subchapter 3, is amended
4 to add a new section to read as follows:

5 5-73-322. Concealed handguns in a university, college, or community
6 college building.

7 (a) As used in this section:

8 (1)(A) "Public university, public college, or community college"
9 means an institution that:

10 (i) Regularly receives budgetary support from the
11 state government;

12 (ii) Is part of the University of Arkansas or
13 Arkansas State University systems; or

14 (iii) Is required to report to the Arkansas Higher
15 Education Coordinating Board.

16 (B) "Public university, public college, or community
17 college" does not include a private university or private college solely
18 because:

19 (i) Students attending the private university or
20 private college receive state-supported scholarships; or

21 (ii) The private university or private college
22 voluntarily reports to the Arkansas Higher Education Coordinating Board; and

23 (2) "Staff member" means a person who is not enrolled as a full-
24 time student at the university, college, or community college and is either
25 employed by the university, college, or community college full time or is on
26 a nine-month or twelve-month appointment at the university, college, or
27 community college as a faculty member.

28 (b) A licensee may possess a concealed handgun in the buildings and on
29 the grounds, whether owned or leased by the public university, public
30 college, or public community college, of the public university, public
31 college, or public community college where he or she is employed unless
32 otherwise prohibited by § 5-73-306 if:

33 (1) He or she is a staff member; and

34 (2)(A) The governing board of the public university, public
35 college, or public community college does not adopt a policy expressly
36 disallowing the carrying of a concealed handgun by staff members in the

1 buildings or on the grounds of the public university, public college, or
2 public community college and posts notices as described in § 5-73-306(19).

3 (B) A governing board of the public university, public
4 college, or public community college may adopt differing policies for the
5 carrying of a concealed handgun by staff members for different campuses,
6 areas of a campus, or individual buildings of the public university, public
7 college, or public community college for which the governing board is
8 responsible.

9 (C) A policy disallowing the carrying of a concealed
10 handgun by staff members into the public university, public college, or
11 public community college expires one (1) year after the date of adoption and
12 must be readopted each year by the governing board of the public university,
13 public college, or public community college to remain in effect.

14 (c) A licensee may possess a concealed handgun in the buildings and on
15 the grounds of the private university or private college where he or she is
16 employed unless otherwise prohibited by § 5-73-306 if:

17 (1) He or she is a staff member; and

18 (2) The private university or private college does not adopt a
19 policy expressly disallowing the carrying of a concealed handgun in the
20 buildings and on the grounds of the private university or private college and
21 posts notices as described in § 5-73-306(19).

22 (d) The storage of a handgun in a university or college-operated
23 student dormitory or residence hall is prohibited, under § 5-73-119(c).

24
25 /s/Collins

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28 **APPROVED: 03/01/2013**