

As Engrossed: 8/16/94 8/17/94 8/24/94

1 **State of Arkansas**
2 **79th General Assembly**
3 **Second Extraordinary Session, 1994**
4 **By: Representatives McGee, Beatty, and Pryor**

Call Item 14
ACT 42 OF 1994
HOUSE BILL 1022

A Bill

For An Act To Be Entitled

8 "AN ACT TO AMEND THE ARKANSAS CODE TO CREATE THE CRIME OF
9 FURNISHING A HANDGUN OR PROHIBITED WEAPON TO A FELON; TO
10 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

Subtitle

13 "TO CREATE THE CRIME OF FURNISHING A
14 HANDGUN OR PROHIBITED WEAPON TO A
15 FELON."

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

19 *SECTION 1. Subchapter 1 of Chapter 73 of Title 5 of the Arkansas Code*
20 *is amended by inserting an additional section at the end thereof to read as*
21 *follows:*

22 *"5-73-129. Furnishing a Deadly Weapon to a Felon.*

23 *(a) A person commits the offense of furnishing a handgun to a felon if*
24 *he sells, barter, leases, gives, rents, or otherwise furnishes a handgun to a*
25 *person who he knows has been found guilty of or who has pled guilty or nolo*
26 *contendere to a felony.*

27 *(b) A person commits the offense of furnishing a prohibited weapon to a*
28 *felon if he sells, barter, leases, gives, rents, or otherwise furnishes a*
29 *sawed off shotgun or rifle, a firearm that has been specially made or*
30 *specially adapted for silent discharge, a machine gun, a bomb, metal knuckles,*
31 *a defaced firearm as defined in Arkansas Code 5-73-107, or other implement for*
32 *the infliction of serious physical injury or death that serves no common*
33 *lawful purpose, to a person who has been found guilty of or who has pled*
34 *guilty or nolo contendere to a felony.*

35 *(c) Furnishing a handgun or prohibited weapon to a felon is a class B*
36 *felony."*

0812941454.jmb031

1
2
3
4
5
6
7
8
9
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

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that felons commit many serious criminal offenses by the use of handguns or by the use of prohibited weapons; that the criminal penalties for furnishing handguns and prohibited weapons to felons must be increased in order to decrease the availability of such weapons. Therefore in order to immediately enhance the penalties for furnishing handguns or prohibited weapons to a felon, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/Rep. McGee, et al

APPROVED: 8-25-94

As Engrossed: 8/16/94 8/17/94 8/24/94

HB 1022

1

0812941454.jmb031