

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H1/30/09

A Bill

HOUSE BILL 1215

5 By: Representative Hyde
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For An Act To Be Entitled

9 AN ACT CONCERNING PENALTIES FOR VIOLATION OF AN
10 ORDINANCE REGULATING OR FORBIDDING THE UNSAFE
11 DISCHARGE OF A FIREARM; AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT CONCERNING PENALTIES FOR
14 VIOLATION OF AN ORDINANCE REGULATING OR
15 FORBIDDING THE UNSAFE DISCHARGE OF A
16 FIREARM.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 14-55-504 is amended to read as follows:
23 14-55-504. Maximum penalties permitted.

24 (a)(1) ~~Municipal~~ Except as provided in subsection (c) of this section,
25 municipal corporations shall not have power to inflict any fine or penalty,
26 by ordinance or otherwise, to a greater sum than five hundred dollars (\$500)
27 for any one (1) specified offense or violation of a bylaw or ordinance, or
28 double that sum for each repetition of such offense or violation.

29 (2) If a thing prohibited or rendered unlawful is, in its
30 nature, continuous in respect to time, the fine or penalty for allowing the
31 continuance thereof, in violation of the bylaw or ordinance, shall not exceed
32 two hundred fifty dollars (\$250) for each day that it may be unlawfully
33 continued.

34 (b) If any bylaw or ordinance provides for any greater fine, penalty,
35 or forfeiture than is provided in this section, it shall and may be lawful,
36 in any suit or prosecution for the recovery thereof, to reduce it to such



1 amount as shall be deemed reasonable and proper and to permit a recovery or
2 render a judgment for such amount as authorized.

3 (c) For a violation of an ordinance regulating or forbidding the
4 unsafe discharge of a firearm, a municipal corporation may impose penalties
5 consistent with an unclassified misdemeanor under § 5-1-107, including
6 incarceration not exceeding ninety (90) days or a fine not exceeding ten
7 thousand dollars (\$10,000), or both.

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9 /s/ Hyde