

1 State of Arkansas As Engrossed: S3/11/21 H3/18/21

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

SENATE BILL 417

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5 By: Senator K. Hammer

6 By: Representative Richmond

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## For An Act To Be Entitled

9 AN ACT PERMITTING A PERSON CONVICTED OF AN ANTITRUST  
10 VIOLATION OR OTHER UNLAWFUL BUSINESS PRACTICE TO  
11 LAWFULLY POSSESS A FIREARM UNDER STATE LAW; AND FOR  
12 OTHER PURPOSES.

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## Subtitle

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

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24 SECTION 1. DO NOT CODIFY. Legislative findings.

25 The General Assembly finds that:

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(1) Under 18 U.S.C. 922(g), it is "unlawful for any person ... who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year ... to ... possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce";

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(2) Under 18 U.S.C. 921(a)(20)(A), the "term "crime punishable by imprisonment for a term exceeding one year" does not include ... any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices"; and

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(3) Because the United States Government does not consider



1 offenses pertaining to antitrust violations, unfair trade practices,  
2 restraints of trade, or other similar offenses relating to the regulation of  
3 business practices as disqualifying offenses for the right to lawfully  
4 possess a firearm or ammunition, the State of Arkansas shall take a similar  
5 position.

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7 SECTION 2. Arkansas Code § 5-73-103, concerning the offense of  
8 possession of a firearm by certain persons, is amended to add an additional  
9 subsection to read as follows:

10 (e) As used in this section, "felony" means any state or federal  
11 felony, excluding a federal or state felony offense for which the person  
12 convicted has completed his or her sentence and pertaining to:

13 (1) An antitrust violation;  
14 (2) An unfair trade practice;  
15 (3) Restraint of trade; or  
16 (4) Another offense relating to the regulation of business  
17 practices.

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19 /s/K. Hammer  
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