

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
7

For An Act To Be Entitled

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

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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14 APPROVED: 4/1/19
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