

INTERIM STUDY PROPOSAL 2017-099

REQUESTING THAT THE SENATE COMMITTEE ON JUDICIARY STUDY WHETHER A CHURCH OR OTHER PLACE OF WORSHIP SHOULD BE REQUIRED TO POST A WRITTEN NOTICE OUTSIDE EACH ENTRANCE OR PROVIDE NOTICE TO A PERSON WITH A LICENSE TO CARRY A CONCEALED HANDGUN THAT CARRYING A CONCEALED HANDGUN IN THE CHURCH OR OTHER PLACE OF WORSHIP IS PROHIBITED.

WHEREAS, after the passage of Acts 2017, Nos. 562 and 859, a church or other place of worship that desires to prohibit a person who possesses a license to carry a concealed handgun with a concealed carry endorsement under § 5-73-322 from carrying a concealed handgun into the church or other place of worship is now either required to place a written notice at each entrance to the church or other place of worship clearly readable at a distance of not less than ten feet (10') that "carrying a handgun is prohibited" or required to provide written or verbal notification prohibiting the licensee from possessing a concealed handgun at the church or other place of worship in accordance with Arkansas Code § 5-73-306(15), (18), and (19); and

WHEREAS, the private property rights of a church or other place of worship should not be subordinate to the rights of a person who possesses a license to carry a concealed handgun, with or without a concealed carry endorsement, and a church should not be forced to post an unsightly written notice at each entrance to the church or other place of worship or to affirmatively provide other written or verbal notice to a licensee, with or without a concealed carry endorsement, that he or she may not possess a concealed handgun on the premises of the church or other place of worship; and

WHEREAS, if a church or other place of worship wants to allow a licensee, with or without a concealed carry endorsement, to carry a concealed handgun on its premises, the church or other place of worship should be able to do so of its own accord and as a private-property right. However, a licensee, with or without a concealed carry endorsement, should not have a default right to possess a concealed handgun on the premises of a church or

1 other place of worship that would then require the church or other place of
2 worship to affirmatively notify the licensee, with or without a concealed
3 carry endorsement, that he or she is prohibited from carrying a concealed
4 handgun on the premises of the church or other place of worship; and
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6 WHEREAS, a study should be conducted to address these issues and to
7 study the policy implications for and against the requirement that a church
8 or other place of worship is required to provide notice that carrying a
9 concealed handgun on its premises is prohibited if the church or other place
10 of worship wants to prohibit a licensee from carrying a concealed handgun on
11 its premises,
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13 NOW THEREFORE,

14 BE IT PROPOSED BY THE SENATE COMMITTEE ON JUDICIARY OF THE NINETY-FIRST
15 GENERAL ASSEMBLY:

16 THAT the Senate Committee on Judiciary study whether a church or other
17 place of worship should be required to post a written notice outside each
18 entrance or provide notice to a person with a license to carry a concealed
19 handgun, with or without a concealed carry endorsement, that carrying a
20 concealed handgun on the premises of the church or other place of worship is
21 prohibited if the church or other place of worship wants to prohibit a
22 licensee from carrying a concealed handgun on its premises.
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24 Respectfully submitted,
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28 Senator Bryan King

29 District 5
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31 Prepared by: BPG/BPG
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