

<b>ASP Concealed Carry Rules</b>		
<b>Rule/Date</b>	<b>Title</b>	<b>Summary</b>
1.0 (1-1-2009)	Title	These rules are known as the Arkansas Concealed Handgun License Rules.
1.1 (1-1-2009)	Authority; Purpose	These rules are issued under §§ 5-73-317; 12-8-104 et seq., and the Administrative Procedures Act, §§ 25-15-201 et seq. The purpose is to provide guidelines in conformity with Arkansas laws related to the concealed carry of a handgun.
1.2 (1-1-2009, 1-1-2018, and 1-27-2020)	Definitions	Includes definitions for: active duty military, administrator, applicant, application, application packet, chronically and habitually uses alcoholic beverages, chronically and habitually uses controlled substances, concealed, convicted, crime of violence, department, division, director, documentation, duplicate license, firearms safety training instructor, instructor, handgun, hearing officer, licensee, possession, registration, resident, and training.
1.3 (1-1-2009)	Authority to issue license	Provides that the Director of the Division of the Arkansas State Police may issue a license to carry a concealed handgun under these rules and applicable laws.
1.4 (1-1-2009)	Term of license	Provides that the term of a license is five (5) years.
1.5 (1-1-2009)	Exemptions — law enforcement	Provides that these rules generally do not govern possession of a handgun by a certified law enforcement officer and provides special provisions for renewal for a former sheriff or retired officer.
1.6 (1-27-2020)	Penalty for false response or document	Provides criminal and non-criminal penalties for providing false information related to an application for a concealed carry license.
2.0 (1-1-2009)	Application design	Describes the application form and procedure for revisions to the form.
2.1 (1-27-2020)	Application availability	Provides that an applicant may submit an application online or may request a form on the division's website or through a firearms instructor.
2.2 (1-27-2020)	Proper application packet	Sets out the requirements for an application packet, including license fee, waiver, fingerprints, proof of successful completion of an approved firearm safety training program, and any other information required by the director.
2.3 (1-27-2020)	Fees	Provides that fees are set by Arkansas law or state and federal rules and that the division may issue an instruction sheet concerning fees.
3.0 (1-1-2009)	License usage	Provides that a license is to be used solely by the licensee.

3.1 (1-1-2018)	Possession of license	Provides that a licensee shall carry his or her license or an electronic copy while possessing a concealed handgun.
3.2 (1-1-2018)	Contact with law enforcement	Provides that a licensee shall provide the concealed carry license for inspection along with other photo identification upon request for identification by a law enforcement officer and shall notify an officer that the licensee is in possession of a concealed handgun when in possession.
3.3 (1-1-2009)	Current license validity	Provides that a law enforcement officer may search the Arkansas Crime Information Center database for the current status of a license to carry a concealed handgun.
4.0 (1-27-2020)	License — requirements	Provides that the director shall issue a license when an applicant meets the requirements of §§ 5-73-308 and 5-73-309.
4.1 (1-1-2018)	Application form	Provides that the application shall be promulgated by the director and shall include certain elements, including questions related to the applicant's fitness for issuance of a license, criminal history, a statement that the applicant understands the concealed carry law, and whether the applicant is applying for a restricted concealed carry license or an unrestricted concealed carry license.
4.2 (1-27-2020)	Initial application packet and procedure	Lists documents and other items that must be submitted with the application, including the license fee and background check fees, fingerprints, certification of training, and a waiver authorizing access to medical, criminal, military, and other records.
4.3 (1-27-2020)	Application packet processing by the division	Sets out requirements for the division in the processing of an application, including fingerprint processing, providing notice of the application to local law enforcement where the applicant resides, and notifying the applicant of any potential problems with the application.
4.4 (1-27-2020)	Fingerprinting for initial application	Sets out procedure to be followed after a fingerprint card is submitted unsuccessfully, including re-submission.
4.5 (1-27-2020)	Unresolved arrests	Requires an applicant to obtain a disposition of any pending charges for an offense that could lead to disqualification from licensure. In the event of an unresolved felony more than ten (10) years old, the applicant may obtain a letter of reference from the county sheriff, prosecuting attorney, or circuit judge.

5.0 (1-27-2020)	Process for renewal of license	Sets out the procedure for renewal of a license. An application for renewal may be submitted no more than ninety (90) days prior to expiration by submitting a renewal form and other required documents.
5.1 (1-27-2020)	Renewal application — late fee	Provides that a license may be renewed up to six (6) months after expiration when a licensee pays a late fee, with exemptions for members of the armed forces.
5.2 (1-1-2009 and 1-27-2020)	License expired over six (6) months	Provides that when a license is expired more than six (6) months it becomes inactive and a licensee may submit an application for license as an initial applicant, with exemptions for members of the armed forces.
5.3 (1-1-2018)	Renewal denial	Provides that the director may deny an application for renewal on the same grounds as denial of an initial application. An appeal may be made under the Administrative Procedures Act, § 25-15-201 et seq.
6.0 (1-27-2020)	Replacement license	Provides that a licensee may obtain a replacement license upon submission of the proper form and payment of a fee.
6.1 (1-27-2020)	Change of address of the licensee	Provides that a licensee shall notify the director within thirty (30) days upon a change of address by completing the proper form.
6.2 (1-27-2020)	Change of name of the licensee	Provides that a licensee shall notify the director within thirty (30) days upon a change of his or her name by completing the proper form.
6.3 (1-27-2020)	Death of licensee	Provides that notice should be provided to the director upon the death of a licensee and the license shall be canceled as of the date of death.
6.4 (1-27-2020)	Voluntary surrender of a license	Provides that if a licensee voluntarily surrenders his or her license in the absence of suspension or revocation proceedings, the director shall cancel the license.
6.5 (1-27-2020)	Upgrade to enhanced license	Provides that a licensee may upgrade his or her license to an enhanced license by completion of the training required under Rule 13.3, submission of the proper form, and payment of fees.
7.0 (1-1-2018)	Failure to comply with concealed handgun carry license restrictions	Provides that failure to comply with these rules or §§ 5-73-301 et seq. is grounds for suspension or revocation of a license.
7.1 (1-1-2009)	Restrictions as to type of handgun	Provides that a restricted license permits the licensee to carry concealed any legal handgun other than a semiautomatic handgun. An unrestricted license permits the licensee to carry any legal handgun.

7.2 (1-1-2018 and 1-27-2020)	General prohibited places	Provides that a licensee with a non-enhanced license is prohibited from carrying a concealed handgun into certain places, with exceptions, including a K-12 school; an institution of higher education; a publicly owned building; the State Capitol or Justice Building; a law enforcement office; any building of the Arkansas State Highway and Transportation Department; any detention facility, jail, or prison; a courthouse; the meeting place of a governing body of a governmental entity; any meeting place of the General Assembly; any state office; an athletic event; n establishment other than a restaurant that serves alcohol; the passenger terminal of an airport; a church; any place carrying a firearm is prohibited by federal law; a parade or demonstration requiring a permit; a place where the owner posts notices or otherwise communicates that firearms are prohibited; a firearm sensitive area of the Arkansas State Hospital, UAMS, or a collegiate athletic event.
7.3 (1-1-2018)	Enhanced license	Provides that a licensee with an enhanced license is exempt from prohibitions on concealed carry at publicly owned buildings; the State Capitol and Justice Building; any meeting place of a governing body of a governmental entity; a state office; athletic events; an establishment other than a restaurant that serves alcohol; the passenger terminal of an airport; a church; a parade or demonstration requiring a permit; and the buildings and grounds of a college or university. The rule provides that carrying a concealed handgun may be restricted or prohibited by other law.
7.4 (1-1-2018 and 1-27-2020)	Enhanced prohibited places	Provides that a licensee with an enhanced license is prohibited from carrying a concealed handgun into certain places, with several exceptions, including a K-12 school; an institution of higher learning; a courthouse; a public pre-K or daycare; property owned by the Department of Correction or Department of Community Correction; a law enforcement station; any building of the Arkansas State Highway and Transportation Department; a detention facility, jail, or prison; an establishment other than a restaurant that serves alcohol; a church; any place where the carrying of a firearm is prohibited by federal law; any place where the owner posts notices or otherwise communicates that firearms are prohibited; a firearm sensitive area of the Arkansas State Hospital, UAMS, or a collegiate athletic event;

		and any place where a hearing is being conducted in accordance with grievance or disciplinary procedures of a public university.
7.5 (1-1-2018 and 1-27-2020)	Terms of enhanced license	Provides that an enhancement will remain on a license until the license is revoked or inactive but is subject to denial, suspension, and revocation just as a non-enhanced license. Provides that renewal enhanced training is not required for renewal. Provides that a licensee must obtain an Arkansas concealed carry license for the enhanced certification, and the enhanced certification shall not be extended to a permit issued by another state.
8.0 (1-27-2020)	License suspension	Sets out grounds and procedure for license suspension. The director may suspend a license when a licensee is arrested for or charged with an offense that could disqualify a person from license eligibility. A suspension may be appealed under the Administrative Procedures Act, § 25-15-201 et seq. A license may be suspended by the Office of Child Support Enforcement (OCSE).
8.1 (1-27-2020)	Arrest of licensee	Provides that a law enforcement officer making an arrest for an offense that could disqualify a person from license eligibility shall confiscate the license and forward it to the director or notify the director if the license is not in the licensee's possession at the time of arrest.
8.2 (1-1-2018)	Order of suspension	Permits the director to issue a written order of summary suspension of a license when the public health, safety, or welfare requires emergency action and permits a hearing upon request by the licensee.
9.0 (1-27-2020)	Revocation	Requires the director to revoke a license if a licensee becomes ineligible, a licensee is convicted of a crime involving the use of a weapon, or a licensee is convicted of an alcohol-related offense while carrying a handgun. Permits the director to revoke a license if a licensee is determined to be a danger to himself, herself, others, or the community at large or under criminal investigation.
9.1 (1-27-2020)	Notice	Sets out requirements for notice of revocation and provides that an appeal may be made under the Administrative Procedures Act, § 25-15-201 et seq.
10.0 (1-27-2020)	Appeal hearings	Provides that in any hearing concerning a person's qualifications after the denial of a license, the burden of proof is on the applicant. In any hearing concerning a licensee's qualifications after a suspension or denial, the

		burden of proof is on the division. Hearings are conducted in accordance with the Administrative Procedures Act, § 25-15-201 et seq.
10.1 (1-1-2009)	Possession of license pending appeal	Provides that upon notification of a suspension or revocation, a licensee shall return his or her license to the director, and if not returned, is subject to seizure by any law enforcement officer.
11.0 (1-27-2020)	Re-application procedures	Provides that a person is not eligible to re-apply for a license for twenty-four (24) months after a license is revoked. If new application is submitted after twenty-four (24) months, it shall be treated as an initial application.
12.0 (1-1-2018)	Effect	Provides that a person possessing a concealed carry license from another state is entitled to the privileges and restrictions of Arkansas concealed handgun carry laws, federal law, and these rules. Provides that an Arkansas licensee has the responsibility of determining his or her own concealed carry eligibility in another state.
12.1 (1-27-2020)	Procedure for transfer of a license issued by another state to Arkansas	Provides that a person who becomes an Arkansas resident after moving from another state in which he or she was licensed to carry a concealed handgun may transfer his or her license to Arkansas by submitting to the division the proper form, out-of-state license, fingerprints, and applicable fees.
12.3 (1-1-2009)	List of reciprocal states	Provides that the department shall maintain a list of reciprocal states for public access. [This rule may have been rescinded by the 1-1-2018 amendments.]
12.4 (1-1-2009)	Treatment of licenses from non-reciprocal states	A person licensed in a non-reciprocal state may not transfer his or her license to Arkansas after moving to Arkansas but instead may submit an initial application packet and may not carry a concealed handgun in the state under §§ 5-73-301 et seq. or these rules. [This rule may have been rescinded by the 1-1-2018 amendments.]
13.0 (1-1-2018 and 1-27-2020)	Training requirements upon initial application	Provides that prior to submitting an initial application, a person shall complete an approved firearm safety training program. The program shall consist of a minimum of five (5) hours of instruction on topics including administrative matters, avoiding victimization, handgun and concealed carry laws, encounters with law enforcement, inspection of handguns, types of handguns, ammunition, cleaning and storage of a handgun, carrying concealed, and classroom preparation for range instruction. Also

		provides that the applicant must demonstrate proficiency by "live-fire". A current firearm safety instructor registration may be substituted for the training requirement.
13.1 (1-27-2020)	Training requirements upon renewal of license	Provides that additional training is required for renewal that must be completed within six (6) months prior to expiration until six (6) months after expiration of the license. An applicant must demonstrate proficiency by "live-fire".
13.2 (1-27-2020)	Substitution for live-fire training	Provides an exception from live-fire training for an active member of the armed forces.
13.3 (1-1-2018 and 1-27-2020)	Training requirements for enhanced license	Provides that enhanced carry training shall consist of approximately eight (8) hours of training, five (5) to six (6) hours in the classroom and two (2) hours on the range. The division may provide instructors with an example syllabus for enhanced training and the following topics shall be covered by the training: §§ 5-73-101 to -325; the terms of the enhanced license and places where concealed carry is prohibited; self-defense and the use of deadly force; techniques for weapon retention; civil liability; emergent situations in public locations; and campus carry.
13.4 (6-24-2018 and 1-27-2020)	Waiver	Permits an applicant to request a waiver of training requirements if the applicant qualifies for a waiver by completing an approved, abbreviated training program.
14.0 (1-1-2018)	Purpose	Provides that the purpose of a firearms safety training instructor is to evaluate the level of competence of a prospective applicant or licensee and to ensure that the person possesses a basic level of knowledge, understanding, and practical operation for safe handling of a handgun. An instructor shall not certify completion of a training course unless the person meets the standards of training. An instructor may refuse to provide training if the instructor believes that the applicant is incapable of competing the program. Training must be completed in person. Online training is not permitted.
14.1 (1-27-2020)	Maintenance of records	Requires instructors to maintain training records for five (5) years and the division may audit records. An instructor shall be present during any guest instructor's training to ensure that the subject matter was properly covered.

14.2 (1-27-2020)	Application for approval of registration	Sets out requirements for instructor registration, including meeting qualification requirements for a license to carry a concealed handgun; successful completion of an examination administered by the division; hold a firearms instructor training certificate from an approved course listed in subsection (b) of the rule; offer enhanced training; and submit application, background check fees, and fingerprints. Permits the director to approve an instructor registration for a person who fails to meet the qualifications.
14.3 (1-27-2020)	Approval to teach enhanced training	Requires all instructors that teach concealed carry training classes to also offer enhanced training classes.
15.0 (1-1-2009 and 1-27-2020)	Training of applicants	Provides that required minimum training courses must be approved by the director and shall include live ammunition and firing.
15.1 (1-1-2018 and 1-27-2020)	Administration of firearms safety training instruction	Requires an instructor to comply with all applicable state, county, city, and federal laws. Provides that if an instructor ceases to be an instructor, he or she shall notify the director, and if requested, provide all instruction records. Provides that an instructor shall review a student's license application for completeness unless the application is submitted electronically.
15.2 (1-27-2020)	Instructor change of address	Provides that an instructor shall notify the division within thirty (30) days of a change of address, phone number, or email address.
15.3 (1-1-2018 and 1-27-2020)	Instructor — other requirements	Sets out other requirements for instructors, including the requirement that an instructor include his or her registration number on all matters related to concealed carry instruction, with certain exceptions for social media posts. Prohibits an instructor from using the Arkansas State Police star.
15.4 (1-1-2020)	Death of a registered instructor	Provides that notice of death of an instructor should be provided to the division and an instructor registration is canceled as of the date of the death of the instructor.
15.5 (1-1-2020)	Voluntary surrender of a registration	Provides that if a registrant voluntarily surrenders his or her resignation in the absence of suspension or revocation proceedings, the division shall accept the registration and cancel it.
15.6 (1-27-2020)	Notification of division of arrest of a registrant	Provides that a registrant shall promptly notify the division if he or she is arrested or charged with an offense which could lead to the revocation of a license to carry a concealed handgun.



16.0 (1-1-2018 and 1-27-2020)	Grounds for denial, suspension or revocation of a firearms safety training instructor registration	Sets out grounds for denial of an initial registration or suspension or revocation of an instructor registration, including fraud or deceit, incompetence or untrustworthiness, failure to comply with the law, the commission of any act that would warrant the denial, suspension or revocation of a license to carry a concealed handgun, repeatedly failed to check students' non-electronic license applications for completeness, failure to maintain a valid registration, and a request by OCSE to suspend a registration.
16.1 (1-1-2018 and 1-27-2020)	Appeal of a denial, suspension, or revocation of a firearms safety training instructor registration	Provides a prospective instructor is entitled to a hearing upon the denial of an application for registration or upon suspension or revocation of a registration. In a hearing of a denial, the burden of proof is on the applicant. In a hearing requested after a suspension or revocation, the burden of proof is on the division.
17.0 (1-27-2020)	Posted firearm-sensitive areas — restriction	Provides that all concealed carry licensees, including enhanced licensees, are prohibited from carrying a concealed handgun into places with firearm-sensitive areas approved by the division, including the Arkansas State Hospital, UAMS, and a collegiate athletic event.
17.1 (1-1-2018 and 1-27-2020)	Establishment of a firearm-sensitive area — security plan	Provides that the Arkansas State Hospital, UAMS, and a college hosting a collegiate athletic event may apply to the division for approval of a firearm-sensitive area upon submission of a security plan that details the total number of people expected at the event, the number of exits and entrances and other details concerning security.
18.0 (1-1-2018 and 1-27-2020)	Effective date	Sets out the effective date of the rules as 1-1-2009, with amendments 1-1-2018 and 1-27-2020.