

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1347

By: Representative Givens

"AN ACT TO AMEND SECTION 1 OF ACT 696 OF 1975, AS AMENDED [ARK. STAT. 41-3151], TO INCLUDE THROWING STARS, SWITCHBLADES, AND BUTTERFLY KNIVES IN THE DEFINITION OF 'KNIVES'; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 1 of Act 696 of 1975, as amended, the same being Arkansas Statutes 41-3151, is hereby amended to read as follows:

"Section 1. (1) A person commits the offense of carrying a weapon if he possesses a handgun, knife, or club on or about his person, in a vehicle occupied by him, or otherwise readily available for use with a purpose to employ it as a weapon against a person.

(2) For purposes of this section:

(a) 'handgun' means any firearm with a barrel length of less than twelve (12) inches that is designed, made, or adapted to be fired with one hand.

(b) 'knife' means any bladed hand instrument that is capable of inflicting serious physical injury or death by cutting or stabbing; it includes a dirk, sword or spear in a cane, razor, and ice pick. The term 'knife' shall also include throwing stars, switchblades, and butterfly knives.

(c) 'club' means any instrument that is specially designed, made, or adapted for the purpose of inflicting serious physical injury or death by striking; it includes a blackjack, billie, and sap.

(3) It is a defense to a prosecution under this Section that at the time of the act of carrying:

(a) the person is in his own dwelling or place of business or on property in which he has a possessory or proprietary interest; or

(b) the person is a law enforcement officer, prison guard, or member

of the armed forces, acting in the course and scope of his official duties; or

(c) the person is assisting a law enforcement officer, prison guard, or member of the armed forces acting in the course and scope of official duties pursuant to the direction or request of such law enforcement officer, prison guard, or member of the armed forces;

(d) the person is carrying a weapon when upon a journey; or

(e) the person is a licensed security guard acting in the course and scope of his duties;

(f) the person is hunting game with a handgun which may be hunted with a handgun under rules and regulations of the Game and Fish Commission or is en route to or from a hunting area for the purpose of hunting game with a handgun.

(4) Carrying a weapon is a class A misdemeanor."

SECTION 2. All laws or parts of laws in conflict with this Act are hereby repealed.

