

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1793

By: Representative Wynne

"AN ACT TO AMEND SECTION 3103 OF ACT 280 OF 1975 AS AMENDED,  
[ARK STAT. 41-3103] TO ALLOW CERTAIN INDIVIDUALS TO POSSESS  
FIREARMS; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 3103 of Act 280 of 1975 as amended, the same being Arkansas Statute 41-3103, is hereby amended to read as follows:

"Section 3103. (1) No person who has been

(a) convicted of a felony; or

(b) adjudicated a mental defective; or

(c) committed involuntarily to any mental institution; shall possess or own any firearm.

(2) A determination by a jury or court that a person committed a felony shall constitute a 'conviction' for purposes of subsection (1) even though the court suspended imposition of sentence or placed the defendant on probation.

(3) A determination by a jury or court that a person committed a felony shall not constitute a 'conviction' for purposes of subsection (1) if the person is subsequently granted a pardon explicitly restoring the ability to possess a firearm or if the person has successfully had his record expunged pursuant to the Alternative Services Act, Act 378 of 1975, as amended, the same being Arkansas Statute 43-2340 et seq., or the First Offender Act, Act 346 of 1975, the same being Arkansas Statute 43-1231 et seq. and the court has specifically authorized in the expungement order that the defendant shall have the right to possess a rifle with a barrel length of no less than 16 inches and being no less than 26 inches in overall length or a shotgun with a barrel length of no less than 18 inches and being no less than 26 inches in overall length for hunting purposes only.

(4) A person who violates this section commits a class D felony if he

has been convicted of a felony; otherwise, he commits a class A misdemeanor."

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 All laws and parts of laws in conflict with this Act are hereby repealed.

