

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Senator Beebe

SENATE BILL 28

As engrossed 1-28-87 As engrossed 2-16-87

"AN ACT TO AMEND SECTION 3103 OF ACT 280 OF 1975, AS AMENDED [ARK. STAT. 41-3103], TO PROVIDE THAT NO CONVICTED FELON OR MENTALLY INCOMPETENT PERSON MAY OWN OR POSSESS A FIREARM UNLESS AUTHORIZED BY THE GOVERNOR OR THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS; AND FOR OTHER PURPOSES."

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

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

- "(1) No person who has been
- (a) convicted of a felony; or
 - (b) adjudicated a mentally ill; or
 - (c) committed involuntarily to any mental institution,

shall possess or own any firearm unless so authorized by and subject to such conditions as prescribed by the Governor (or his designee) or the U. S. Treasury Department's Bureau of Alcohol, Tobacco and Firearms (or other bureau or office designated by the Treasury Department).

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 All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. It is hereby found and determined by the General Assembly that any person who has been convicted of a felony or adjudicated a mental defective or involuntarily committed to a mental institution may not possess or own any firearms; that this language is unfairly broad and that a mechanism should be devised whereby persons who constitute no danger to themselves or others should not be restricted for the duration of their lives from owning or

possessing firearms; that this Act establishes a mechanism to allow the Governor or the Bureau of Alcohol, Tobacco and Firearms to determine which such persons should be relieved of such restriction; that the inequity of the present law will continue until this Act becomes effective. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/ Beebe

