

State of Arkansas
77th General Assembly
Regular Session, 1989
By: Senator Brandon

SENATE BILL 76

"AN ACT TO PROVIDE THAT IT IS UNLAWFUL TO USE A FIREARM OR ARCHERY EQUIPMENT IN RECKLESS DISREGARD FOR THE SAFETY OF OTHERS WHILE HUNTING; TO PROVIDE PENALTIES; AND FOR OTHER PURPOSES."

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

SECTION 1. (a) It is unlawful for any person to use a firearm or archery equipment in reckless disregard for the safety of others while in preparation for, engaged in the act of or returning from hunting.

(b) A person violating the provisions of subsection (a) shall be guilty of a misdemeanor and upon conviction shall be:

(1) in the case where no personal injury or property damage occurs, fined not more than one hundred dollars (\$100) or imprisoned for not more than thirty (30) days;

(2) in the case of property damage only, fined not more than one thousand dollars (\$1,000) nor less than five hundred dollars (\$500) or imprisoned for not more than six (6) months, and the court shall order restitution to the owner of the property;

(3) in the case of bodily injury to another, fined not less than five hundred dollars (\$500) nor more than two thousand five hundred dollars (\$2,500) or imprisoned for not more than two (2) years, except that if the bodily injury results in disfigurement, total or partial or permanent disability, the person shall be imprisoned for not less than sixty (60) days nor more than two (2) years; or

(4) in the case of death, be imprisoned for not less than three (3) months nor more than three (3) years.

(c) No part of the minimum fines and penalties provided in this section shall be suspended by any court in the state.

(d) In addition to the criminal penalties provided in this section, the Arkansas Game and Fish Commission shall seize the license of the person charged under this section and, upon conviction shall disqualify the person from eligibility for a hunting license for a period to be prescribed under the regulations of the commission and, in addition, the commission may require the person to complete a hunter education course before becoming eligible for a hunting license.

(e) Any person convicted of hunting while his license is suspended under the provisions of this section shall be fined not less than five hundred dollars (\$500) nor more than two thousand five hundred (\$2,500), or imprisoned for not more than two (2) years and may have his hunting privileges suspended by the commission for an additional period determined under the regulations of the commission.

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.