

1 **State of Arkansas**
2 **79th General Assembly**
3 **Second Extraordinary Session, 1994**
4 **By: Senator Bell**

Call Item 14

A Bill

SENATE BILL 3

For An Act To Be Entitled

8 "AN ACT TO AMEND THE ARKANSAS CODE TO CREATE THE CRIME OF
9 FURNISHING A HANDGUN OR PROHIBITED WEAPON TO A FELON; TO
10 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

Subtitle

13 "TO CREATE THE CRIME OF FURNISHING A
14 HANDGUN OR PROHIBITED WEAPON TO A
15 FELON."

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

19 SECTION 1. Subchapter 1 of Chapter 73 of Title 5 of the Arkansas Code
20 is amended by inserting an additional section at the end thereof to read as
21 follows:

22 "5-73-129. Furnishing a Deadly Weapon to a Felon.

23 (a) A person commits the offense of furnishing a handgun to a felon if
24 he sells, barter, leases, gives, rents, or otherwise furnishes a handgun to a
25 person who *he knows* has been found guilty of or who has pled guilty or nolo
26 contendere to a felony.

27 (b) A person commits the offense of furnishing a prohibited weapon to a
28 felon if he sells, barter, leases, gives, rents, or otherwise furnishes a
29 sawed off shotgun or rifle, a firearm that has been specially made or
30 specially adapted for silent discharge, a machine gun, a bomb, metal knuckles,
31 a defaced firearm as defined in Arkansas Code 5-73-107, or other implement for
32 the infliction of serious physical injury or death that serves no common
33 lawful purpose, to a person who has been found guilty of or who has pled
34 guilty or nolo contendere to a felony.

35 (c) Furnishing a handgun or prohibited weapon to a felon is a class B

1 felony."

2

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

6

7 SECTION 3. If any provision of this act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 act are declared to be severable.

12

13 SECTION 4. All laws and parts of laws in conflict with this act are
14 hereby repealed.

15

16 SECTION 5. EMERGENCY. It is hereby found and determined by the General
17 Assembly that felons commit many serious criminal offenses by the use of
18 handguns or by the use of prohibited weapons; that the criminal penalties for
19 furnishing handguns and prohibited weapons to felons must be increased in
20 order to decrease the availability of such weapons. Therefore in order to
21 immediately enhance the penalties for furnishing handguns or prohibited
22 weapons to a felon, an emergency is hereby declared to exist and this act
23 being necessary for the preservation of the public peace, health and safety
24 shall be in full force and effect from and after its passage and approval.

25

/s/Bell

26

27

28

29

30

31

32

33

34

35

As Engrossed: 8/17/94

SB 3

1

2

0811941520.jmb041