

1 **State of Arkansas**
2 **79th General Assembly**
3 **Second Extraordinary Session, 1994**
4 **By: Senators Lewellen, Jewell, and Edwards**

Call Item No. 2

A Bill

SENATE BILL

For An Act To Be Entitled

7 "AN ACT TO PROHIBIT THE IMPORTATION, SALE, DISTRIBUTION,
8 OR POSSESSION OF ASSAULT WEAPONS AND BRASS KNUCKLES WITHIN
9 THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES."

Subtitle

12 "TO PROHIBIT THE IMPORTATION, SALE,
13 DISTRIBUTION, OR POSSESSION OF ASSAULT
14 WEAPONS AND BRASS KNUCKLES WITHIN THE
15 STATE OF ARKANSAS."

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

19 SECTION 1. For the purposes of this act, the term "assault weapon"
20 means:

21 (a) Any of the firearms, or types, replicas, or duplicates in any
22 caliber of the firearms, known as--

- 23 (1) Norinco, Mitchell, and Poly Technologies Avtomat
24 Kalaahnikova (all models);
- 25 (2) Action Arms Israeli Military Industries UZI and Galli;
- 26 (3) Beretta AR-70 (SC-70);
- 27 (4) Colt AR-15;
- 28 (5) Fabrique Nationale FN/FAL, FN/LAR and FNC;
- 29 (6) SWD M-10, M-11, M-11/9 and M-12;
- 30 (7) Steyr AUG;
- 31 (8) INTRATEC TEC-9, TEC-DC9 and TEC-22; and
- 32 (9) any shotgun which contains its ammunition in a revolving
33 cylinder, such as (but not limited to) the Street Sweeper and Striker 12;

34 (b) A semi-automatic rifle that has an ability to accept a detachable
35 magazine and has at least two of--

- 36 (1) a folding or telescoping stock;
- 37 (2) a pistol grip that protrudes conspicuously beneath the

1 action of the weapon;

2 (3) a bayonet mount;

3 (4) a flash suppressor or barrel having a threaded muzzle, and

4 (5) a grenade launcher;

5 (c) A semi-automatic pistol which has at least two of--

6 (1) an ammunition magazine that attaches to the pistol outside
7 the pistol grip;

8 (2) a barrel having a threaded muzzle;

9 (3) a shroud that is attached to or partially or completely
10 encircles the barrel and that permits the shooter to hold the firearm with the
11 non-trigger hand without being burned;

12 (4) a manufactured weight of 50-oz or more when the pistol is
13 unloaded;

14 (5) a semi-automatic version of an automatic firearm;

15 and

16 (d) A semi-automatic shotgun that has at least two (2) of--

17 (1) a folding or telescoping stock;

18 (2) a pistol grip that protrudes conspicuously beneath the
19 action of the weapon;

20 (3) a fixed magazine capacity in excess of five rounds; and

21 (4) an ability to accept a detachable magazine.

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23 SECTION 2. Any person who imports, sells, or distributes any assault
24 weapon or brass knuckles to anyone other than a law enforcement officer is
25 guilty of a class B felony.

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27 SECTION 3. All persons other than law enforcement officers in
28 possession of assault weapons or brass knuckles shall surrender the same to
29 city, county, or state police no later than June 1, 1995. Possession of
30 assault weapons or brass knuckles by anyone other than a law enforcement
31 officer after May 31, 1995 is a class C felony.

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33 SECTION 4. It is the purpose and intent of this act to prevent the
34 distribution of assault weapons and brass knuckles to the general public and
35 thereby exclude their availability to juveniles who are using the same in the

1 commission of crimes.

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3 SECTION 5. 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.

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7 SECTION 6. 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.

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13 SECTION 7. All laws and parts of laws in conflict with this act are
14 hereby repealed.

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16 SECTION 8. EMERGENCY. It is hereby found and determined by the General
17 Assembly that the rate of juvenile crime in this state has increased to
18 epidemic proportions; that assault weapons and brass knuckles are being
19 utilized by the juvenile criminal element to perpetuate the violence in our
20 society; that this act is designed to restrict the availability of those
21 weapons to juveniles; and that this act should go into effect immediately in
22 order to help alleviate the juvenile crime problem in this state. Therefore,
23 an emergency is hereby declared to exist, and this act being immediately
24 necessary for the preservation of the public peace, health, and safety shall
25 be in full force and effect from and after its passage and approval.

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