

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative Roberts

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For An Act To Be Entitled

8 "AN ACT TO PRESCRIBE CERTAIN RESPONSIBILITIES REGARDING
9 THE STORAGE OF LOADED FIREARMS AND TO CREATE THE CRIMINAL
10 OFFENSE OF NEGLIGENTLY STORING A LOADED FIREARM AND
11 PRESCRIBING PENALTIES THEREFOR; TO REQUIRE FIREARM DEALERS
12 TO FURNISH A FIREARM LOCKING DEVICE AND WARNING AT THE
13 TIME OF SALE; AND FOR OTHER PURPOSES."

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Subtitle

16 "TO PRESCRIBE RESPONSIBILITIES REGARDING
17 STORAGE OF LOADED FIREARMS AND REQUIRE
18 FIREARM DEALERS TO FURNISH A FIREARM
19 LOCKING DEVICE AND WARNING AT TIME OF
20 SALE"

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

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24 SECTION 1. (a) It is unlawful for any person to store or keep any
25 loaded firearm on premises he owns or has under his control if he knows that
26 a minor under the age of sixteen (16) years is likely to gain access to the
27 loaded firearm without the permission of the person or the minor_s parent or
28 guardian unless the person stores or keeps the loaded firearm securely locked
29 with a trigger lock, gun lock or gun locking device appropriate for such
30 firearm, stores or keeps the loaded firearm in a securely locked container,
31 stores or keeps the loaded firearm in a location *believed to be secure, or*
32 *stores or keeps the* loaded firearm legally on his person or in a readily
33 retrievable location as if carried on his person while present on the
34 premises.

35 (b)(1) A person who violates the provisions of subsection (a) of this

1 section is guilty of negligently storing a firearm.

2 (2) Negligently storing a firearm is a Class A misdemeanor;
3 unless, as a result of the negligent storage of the firearm, a minor under
4 the age of sixteen (16) years obtains possession of the firearm and causes
5 injury or death to himself or another person, in which case negligently
6 storing a firearm is a Class D felony.

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8 SECTION 2. (a) Each person, firm or corporation which engages in the
9 sale of firearms shall, simultaneously with the sale of any firearm, provide
10 to the purchaser thereof a trigger lock, gun lock or gun locking device
11 appropriate for such firearm.

12 (b) Any person, firm or corporation violating the provisions of
13 subsection (a) of this section shall be subject to a civil penalty in such an
14 amount as a court of competent jurisdiction may prescribe, but not to exceed
15 five hundred dollars (\$500) for the first violation and not less than one
16 thousand dollars (\$1,000) for each subsequent violation.

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18 SECTION 3. (a) Each person, firm or corporation which engages in the
19 sale of firearms shall, simultaneously with the sale of any firearm, provide
20 to the purchaser a printed warning in conspicuous bold type which shall
21 state: "NEGLIGENTLY STORING A LOADED FIREARM IS A CRIMINAL OFFENSE AND MAY
22 RESULT IN IMPRISONMENT AND FINE".

23 (b) Any person, firm or corporation violating the provisions of
24 subsection (a) of this section shall be subject to a civil penalty in such an
25 amount as a court of competent jurisdiction may prescribe, but not to exceed
26 five hundred dollars (\$500) for the first violation and not less than one
27 thousand dollars (\$1,000) for each subsequent violation.

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

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33 SECTION 5. If any provision of this act or the application thereof to
34 any person or circumstance is held invalid, such invalidity shall not affect
35 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 6. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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/s/Rep. Roberts

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