

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative Vess

A Bill

HOUSE BILL 1757

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED §5-73-107 TO MAKE
POSSESSION OF A DEFACED FIREARM A CLASS D FELONY; AND FOR
OTHER PURPOSES."

Subtitle

"TO MAKE POSSESSION OF A DEFACED FIREARM
A CLASS D FELONY"

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

SECTION 1. Arkansas Code Annotated §5-73-107 is amended to read as follows:

"5-73-107. Possession of a defaced firearm.

(a) A person commits the offense of possession of a defaced firearm if he knowingly possesses a firearm with a manufacturer's serial number or other identification mark required by law which has been removed, defaced, marred, altered, or destroyed.

(b) It is a defense to a prosecution under this section that the person reported such possession to the police or other governmental agency prior to arrest or the issuance of an arrest warrant or summons.

(c) Possession of a defaced firearm is a Class D felony. *If the manufacturer's serial number or other identification mark required by law is merely covered or obstructed, but still retrievable, then possession of a defaced firearm is a Class A misdemeanor.*

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.

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

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 All laws and parts of laws in conflict with this act are hereby repealed.

/s/Rep. Vess

