

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 1322

4  
5 By: Representatives DeLay, Bryant, Simon, Wilkinson, Thomas, Magnus, Fuqua, and Milum

## For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 5-73-311 TO  
10 REDUCE TO FIFTY DOLLARS THE LICENSE FEE TO CARRY A  
11 CONCEALED HANDGUN; AND FOR OTHER PURPOSES."

## Subtitle

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14 "TO REDUCE TO \$50 THE LICENSE FEE TO  
15 CARRY A CONCEALED HANDGUN"

16  
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code Annotated § 5-73-311 is amended to read as  
20 follows:

21 "5-73-311. Application procedure.

22 (a) The applicant shall submit the following to the Department of  
23 Arkansas State Police:

24 (1) A completed application as described in § 5-73-310;

25 (2) A full-face photograph of the applicant;

26 (3) A nonrefundable license fee of ~~one hundred dollars (\$100) not~~  
27 more than fifty dollars (\$50.00) ~~or such other amount as prescribed by the~~  
28 ~~director under the Arkansas Administrative Procedure Act, 25-15-201 et seq.;~~

29 (4)(A) A full set of fingerprints of the applicant administered  
30 by the Department of Arkansas State Police.

31 (B) In the event a legible set of fingerprints, as  
32 determined by the Department of Arkansas State Police and the Federal Bureau  
33 of Investigation, cannot be obtained after a minimum of three (3) attempts,  
34 the director shall determine eligibility based upon a name check by the  
35 Department of Arkansas State Police and the Federal Bureau of Investigation at  
36 the request of the director.

1 (C) Costs for processing the set of fingerprints as  
 2 required in subdivision (a)(4)(A) of this section shall be borne by the  
 3 applicant; and

4 (5) A waiver authorizing the Department of Arkansas State Police  
 5 access to any medical records concerning the applicant and permitting access  
 6 to all of the applicant's criminal records; provided, however, that the  
 7 Department of Arkansas State Police shall maintain the confidentiality of the  
 8 medical records.

9 (b)(1) The Department of Arkansas State Police, upon receipt of the  
 10 items listed in subsection (a) of this section, shall forward the full set of  
 11 fingerprints of the applicant to the appropriate agencies for state and  
 12 federal processing.

13 (2)(A) The Department of Arkansas State Police shall forward a  
 14 copy of the applicant's application to the sheriff of the applicant's county  
 15 of residence and, if applicable, the police chief of the applicant's  
 16 municipality of residence.

17 (B)(i) The sheriff of the applicant's county of residence  
 18 and, if applicable, the police chief of the applicant's municipality of  
 19 residence may, at his discretion, participate in the process by submitting a  
 20 voluntary report to the Department of Arkansas State Police containing any  
 21 readily discoverable information that he feels may be pertinent to the  
 22 licensing of any applicant.

23 (ii) The reporting shall be made within thirty (30)  
 24 days after the date he receives the copy of the application."

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

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

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

1 hereby repealed.

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