

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

As Engrossed: H3/28/97

A Bill

HOUSE BILL 2160

4
5 By: Representative DeLay

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 5-73-120 PERTAINING TO THE
10 OFFENSE OF CARRYING A WEAPON; AND FOR OTHER PURPOSES."

Subtitle

13 "TO AMEND ARKANSAS CODE 5-73-120
14 PERTAINING TO THE OFFENSE OF CARRYING A
15 WEAPON."

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

19 SECTION 1. Arkansas Code 5-73-120(c) is amended to read as follows:

20 "(c) It is a defense to a prosecution under this section that at
21 the time of the act of carrying:

22 (1) The person is in his own dwelling, place of business, or on
23 property in which he has a possessory or proprietary interest; or

24 (2) The person is a law enforcement officer, prison guard, or
25 member of the armed forces, acting in the course and scope of his
26 official duties; or

27 (3) The person is assisting a law enforcement officer, prison
28 guard, or member of the armed forces acting in the course and scope of
29 official duties pursuant to the direction or request of the law
30 enforcement officer, prison guard, or member of the armed forces; or

31 (4) The person is carrying a weapon when upon a journey and it shall be
32 irrebuttably presumed that a person is upon a journey if the person is
33 carrying a weapon at least twenty (20) miles away from his or her residence;
34 or

35 (5) The person is a licensed security guard acting in the course
36 and scope of his duties; or

1 (6) The person is hunting game with a handgun which may be hunted
2 with a handgun under rules and regulations of the Arkansas State Game
3 and Fish Commission or is en route to or from a hunting area for the
4 purpose of hunting game with a handgun; or

5 (7) The person is a certified law enforcement officer; or

6 (8) The person is in a motor vehicle, and the person has a
7 license to carry a concealed weapon pursuant to § 5-73-301 et seq."

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

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

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

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/s/Rep. DeLay

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