

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 274

4
5 By: Senator Laverty
6 By: Representative Sullivan

For An Act To Be Entitled

10 AN ACT TO ALLOW LAW ENFORCEMENT AGENCIES TO SELL
11 WEAPONS CONFISCATED UNDER ARKANSAS CODE § 16-90-
12 119; AND FOR OTHER PURPOSES.

Subtitle

15 AN ACT TO ALLOW LAW ENFORCEMENT AGENCIES
16 TO SELL WEAPONS CONFISCATED UNDER
17 ARKANSAS CODE § 16-90-119.

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

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22 SECTION 1. Arkansas Code § 16-90-119 is amended to read as follows:
23 16-90-119. Confiscation ~~and destruction~~ of deadly weapons.

24 (a) When any person is convicted of any homicide, burglary, robbery,
25 assault with intent to kill, assault with a deadly weapon, battery, or any
26 other felony involving a deadly weapon, the court in which the person is
27 convicted may confiscate the deadly weapons involved in the offense and may
28 by court order either:

29 (1) ~~transfer~~ Transfer the weapons and the title to the weapons
30 to an appropriate state or local law enforcement agency for use or sale by
31 the law enforcement agency; or,

32 (2) ~~if~~ If the weapons are not suitable for use or sale by law
33 enforcement agencies, ~~may~~ order the weapons destroyed.

34 (b)(1) The sale of weapons by a law enforcement agency under this
35 section shall be at a public auction or by competitive bid.

36 (2) The sale shall be subject to a background check of the



1 purchaser through the Federal Bureau of Investigation's National Instant
2 Criminal Background Check System.

3 (3) The sale shall not include illegal weapons.

4 (4) The proceeds of the auction shall be distributed as follows:

5 (A) Fifty percent (50%) of the proceeds shall be retained
6 by the law enforcement agency; and

7 (B)(i) Fifty percent (50%) of the proceeds shall be
8 deposited into the State Treasury as special revenues to the credit of the
9 Miscellaneous Agencies Fund Account, there to be used solely for the
10 operations and support of the State Crime Laboratory.

11 (ii) These moneys shall be in addition to all other
12 sources of funding for the State Crime Laboratory and shall not be used to
13 supplant any other source of funding for the State Crime Laboratory.

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