

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  
4

As Engrossed: S2/17/05

# A Bill

SENATE BILL 274

5 By: Senator Laverty  
6 By: Representative Sullivan  
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## 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.  
13

### Subtitle

14 AN ACT TO ALLOW LAW ENFORCEMENT AGENCIES  
15 TO SELL WEAPONS CONFISCATED UNDER  
16 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 retained by the law  
5 enforcement agency.

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7 /s/ Lavery  
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