

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 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 2160

4
5 By: Representative Allen
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7

For An Act To Be Entitled

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9 THE De AUNTA FARROW IMITATION FIRE ARMS ACT IS
10 DESIGNED TO PROTECT THE HEALTH, SAFETY AND
11 WELFARE OF ARKANSAS CITIZENS BY REDUCING THE
12 POSSIBILITY THAT IMITATION FIREARMS ARE MISTAKEN
13 AS REAL; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 THE De AUNTA FARROW IMITATION FIRE ARMS
17 ACT.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. The General Assembly finds that:

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23 (1) At noon June 22, 2007, in West Memphis, Arkansas, a 12-year
24 old boy, De Aunta Farrow, was killed by a Memphis police officer because he
25 was holding a toy gun in his hand, and the police officer said it looked
26 real;

27 (2) When A police officers, A school officials and others
28 mistake replica weapons carried by young people as real weapons the health
29 and safety of Arkansas is jeopardized;

30 (3) Citizens, including children are killed in Arkansas and
31 other states when a toy gun is mistaken for a real gun, or a real gun
32 mistaken as a toy;

33 (4) There is a real risk of an offender being shot by officers
34 who are unable to establish the exact nature of the weapon;

35 (5) The fear felt by members of the public on being confronted
36 with an imitation gun can be just as great; and



1 (6) Valuable time and resources are being used up when armed
2 response teams have to be sent to incidents involving imitation guns.

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4 SECTION 2. Definitions.

5 As used in this act:

6 (1) "Imitation gun" means a toy that has the appearance of being a
7 firearm whether or not it is capable of discharging any shot, bullet or other
8 missile; and

9 (3) "Realistic imitation firearm" means and imitation gun that is
10 indistinguishable from a real firearm.

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12 SECTION 3. The Imitation Gun Public Safety Program.

13 (a) There is created the Imitation Gun Public Safety Campaign.

14 (b) The program is an initiative directed by leaders appointed in law
15 enforcement, education, health care, and human services to educate children
16 and parents about the risk of youths carrying imitation guns in public
17 places, because realistic imitation firearms in public, could result in an
18 armed police response and other health and safety risks.

19 (c) The General Assembly shall:

20 (1) Make it illegal to sell imitation guns or realistic
21 imitation fire arms that could be mistaken for real firearms to children and
22 youth under the age of eighteen (18);

23 (2) Require that imitation guns be restricted from the toy
24 section of major department stores without secure, locked protection, and
25 posted information about the potential dangers of mistaking the imitation gun
26 as real;

27 (3) Emphasize to parents and children the dangers involved in
28 possessing imitation firearms in public; and

29 (4) Encourage and recommend to toy manufacturers who distribute
30 imitation guns in Arkansas to design toys that clearly distinguish themselves
31 from weapons.