

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  
4

As Engrossed: H3/16/09

# A Bill

HOUSE BILL 2160

5 By: Representative Allen  
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## For An Act To Be Entitled

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.  
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## Subtitle

15 THE De AUNTA FARROW IMITATION FIRE ARMS  
16 ACT.  
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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)(A) "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.

9           (B) "Imitation gun" does not include an imitation or replica  
10 firearm that was manufactured in or before 1898; and

11           (3) "Realistic imitation firearm" means an imitation gun that is  
12 indistinguishable from a real firearm.

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14           SECTION 3. The Imitation Gun Public Safety Program.

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

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

21           (c) The General Assembly shall:

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

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

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

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

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35   /s/ Allen  
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