

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 2184

4  
5 By: Representative M. Martin  
6  
7

## For An Act To Be Entitled

8  
9 AN ACT CONCERNING THE LAWFUL OPEN CARRY OF  
10 HANDGUNS; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 AN ACT CONCERNING THE LAWFUL OPEN CARRY  
14 OF HANDGUNS.  
15  
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
18

19 SECTION 1. This act shall be known as the "Arkansas Open Carry Law".  
20

21 SECTION 2. Arkansas Code § 5-73-120(a), concerning the offense of  
22 carrying a weapon, is amended to read as follows:

23 5-73-120. Carrying a weapon.

24 (a) A person commits the offense of carrying a weapon if he or she  
25 possesses a handgun, knife, or club on or about his or her person, in a  
26 vehicle occupied by him or her, or otherwise readily available for use with a  
27 purpose to offensively employ the handgun, knife, or club as a weapon against  
28 a person.

29 (b) A person is presumed to be openly carrying a weapon defensively  
30 unless displaying conduct constituting attempt under § 5-3-201.  
31

32 SECTION 3. Arkansas Code § 5-73-305 is amended to read as follows:

33 5-73-305. Criminal penalty.

34 (a) Any A person who knowingly submits a false answer to any question  
35 on an application for a license issued pursuant to this subchapter, or who  
36 knowingly submits a false document when applying for a license issued



1 pursuant to this subchapter upon conviction is guilty of a Class B  
2 misdemeanor.

3 (b) A person who knowingly carries a concealed handgun without a valid  
4 license to carry a concealed handgun under this subchapter upon conviction is  
5 guilty of a Class A misdemeanor.

6  
7 SECTION 4. Arkansas Code Title 5, Chapter 73 is amended to create a  
8 new subchapter to read as follows:

9 Subchapter 5 – Arkansas Open Carry Law

10 5-73-501. Definitions.

11 As used in this subchapter, “plain sight” means not hidden or concealed  
12 from observation and in open view. “Plain sight” includes a handgun that is  
13 holstered as long as the holster is not hidden or concealed from observation  
14 and is in open view.

15  
16 5-73-502. Open carry

17 Except for those places provided in § 5-73-306, a person who may  
18 lawfully possess a handgun may publicly carry in plain sight a handgun on his  
19 or her person or in his or her vehicle for the purpose of self-defense  
20 regardless of any law to the contrary prohibiting the carrying of a handgun.

21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36