

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.

State of Arkansas
88th General Assembly
Regular Session, 2011

As Engrossed: H2/2/11

A Bill

HOUSE BILL 1051

By: Representative D. Altes

For An Act To Be Entitled

AN ACT TO BE KNOWN AS THE *DEFENSIVE* CARRY RESTORATION ACT; TO AMEND STATE LAW REGARDING THE CARRYING AND POSSESSION OF FIREARMS TO ENSURE ALL ARKANSANS HAVE THE RIGHT TO CARRY ARMS IN PUBLIC PLACES, UNLESS OTHERWISE PROHIBITED BY LAW, FOR SELF DEFENSE AND FOR OTHER PURPOSES; AND FOR OTHER PURPOSES.

Subtitle

THE *DEFENSIVE* CARRY RESTORATION ACT
REGARDING THE *DEFENSIVE* CARRY OF
FIREARMS.

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

SECTION 1. Arkansas Code § 5-73-120(a), regarding the offense of carrying a weapon, is amended to read as follows:

(a) A person commits the offense of carrying a weapon if he or she possesses ~~a handgun, knife, or club~~ on or about his or her person, in a vehicle occupied by him or her, or otherwise readily available for use with a purpose to employ ~~the handgun, knife, or club~~ as a weapon against a person any of the following:

(1) A knife;

(2) A club; or

(3) Unless with a license issued or recognized under § 5-73-301 et seq., a concealed handgun.

SECTION 2. Arkansas Code § 5-73-122 is amended to read as follows:



1 5-73-122. ~~Carrying a firearm in publicly owned buildings or facilities~~
2 Prohibited places to carry a firearm.

3 (a)(1) It is unlawful for any person other than a law enforcement
4 officer or a security guard in the employ of the state or an agency of the
5 state, or any city or county, or any state or federal military personnel, to:

6 (A) ~~knowingly~~ Knowingly carry or possess a loaded firearm
7 or other deadly weapon in any publicly owned building or facility or on the
8 State Capitol grounds; or

9 ~~(2)(B) It is unlawful for any person other than a law~~
10 ~~enforcement officer or a security guard in the employ of the state or an~~
11 ~~agency of the state, or any city or county, or any state or federal military~~
12 ~~personnel, to knowingly~~ Knowingly carry or possess a firearm, whether loaded
13 or unloaded, in the State Capitol Building or the Justice Building in Little
14 Rock.

15 ~~(3)(2)(A) However, the~~ The provisions of this subsection do not
16 apply to a person carrying or possessing a firearm or other deadly weapon in
17 a publicly owned building or facility or on the State Capitol grounds for the
18 purpose of participating in a shooting match or target practice under the
19 auspices of the agency responsible for the building or facility or grounds or
20 if necessary to participate in a trade show, exhibit, or educational course
21 conducted in the building or facility or on the grounds.

22 ~~(4)(B)~~ As used in this section, "facility" means a
23 municipally owned or maintained park, football field, baseball field, soccer
24 field, or another similar municipally owned or maintained recreational
25 structure or property.

26 (b) Except as provided by § 5-73-306, is unlawful to knowingly carry a
27 handgun into a place listed in § 5-73-306.

28 ~~(b)(1)(c)(1)~~ Any person other than a law enforcement officer, officer
29 of the court, or bailiff, acting in the line of duty, or any other person
30 authorized by the court, who knowingly possesses a handgun in the courtroom
31 of any court of this state upon conviction is guilty of a Class D felony.

32 (2) Otherwise, any person violating ~~a provision of~~ this section
33 is guilty of a Class A misdemeanor.

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35 /s/D. Altes
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