

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1231

5 By: Representative Lenderman
6

For An Act To Be Entitled

8 AN ACT CONCERNING SCHOOL SECURITY AND SCHOOL CRISIS
9 RESPONSE TRAINING; TO DECLARE AN EMERGENCY; AND FOR
10 OTHER PURPOSES.
11

Subtitle

12 CONCERNING SCHOOL SECURITY AND SCHOOL
13 CRISIS RESPONSE TRAINING; TO DECLARE AN
14 EMERGENCY.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-73-119(e), concerning defenses to
22 carrying a handgun or firearm on school property, is amended to read as
23 follows:

24 (e) It is a defense to prosecution under this section that at the time
25 of the act of possessing a handgun or firearm:

26 (1) The person is in his or her own dwelling or place of
27 business or on property in which he or she has a possessory or proprietary
28 interest, except upon the property of a public or private institution of
29 higher learning;

30 (2) The person is a law enforcement officer, correctional
31 officer, or member of the armed forces acting in the course and scope of his
32 or her official duties;

33 (3) The person is assisting a law enforcement officer,
34 correctional officer, or member of the armed forces acting in the course and
35 scope of his or her official duties pursuant to the direction or request of
36 the law enforcement officer, correctional officer, or member of the armed



1 forces;

2 (4) The person is a licensed security guard acting in the course
3 and scope of his or her duties;

4 (5) The person is hunting game with a handgun or firearm that
5 may be hunted with a handgun or firearm under the rules and regulations of
6 the Arkansas State Game and Fish Commission or is en route to or from a
7 hunting area for the purpose of hunting game with a handgun or firearm;

8 (6) The person is a certified law enforcement officer;

9 (7) The person is on a journey, unless the person is eighteen
10 (18) years of age or ~~less~~ younger;

11 (8) The person is participating in a certified hunting safety
12 course sponsored by the commission or a firearm safety course recognized and
13 approved by the commission or by a state or national nonprofit organization
14 qualified and experienced in firearm safety;

15 (9) The person is participating in a school-approved educational
16 course or sporting activity involving the use of firearms; ~~or~~

17 (10) The person is a minor engaged in lawful marksmanship
18 competition or practice or other lawful recreational shooting under the
19 supervision of his or her parent, legal guardian, or other person twenty-one
20 (21) years of age or older standing in loco parentis or is traveling to or
21 from ~~this activity~~ a lawful marksmanship competition or practice or other
22 lawful recreational shooting with an unloaded handgun or firearm accompanied
23 by his or her parent, legal guardian, or other person twenty-one (21) years
24 of age or older standing in loco parentis; ~~or~~

25 (11) The person is authorized to carry a firearm or concealed
26 handgun on school property under § 6-15-1303.

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28 SECTION 2. Arkansas Code § 5-73-306(14), concerning the prohibition
29 against carrying a concealed handgun on school property, is amended to read
30 as follows:

31 (14) Any school, college, community college, or university campus
32 building or event, unless:

33 (A) ~~for~~ For the purpose of participating in an authorized
34 firearms-related activity; or

35 (B) Authorized to carry a concealed handgun on school property
36 under § 6-15-1303;

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2 SECTION 3. Arkansas Code Title 6, Chapter 15, Subchapter 13, is
3 amended to add a new section to read as follows:

4 6-15-1303. Existing school employees as security personnel.

5 (a)(1) A school district board of directors may contract with an
6 existing school employee for additional pay to provide security during school
7 hours in addition to his or her other job duties.

8 (2) An employee performing duties under the additional
9 contractual agreement under this section:

10 (A) May carry a firearm and a concealed handgun on school
11 property;

12 (B) Shall complete a forty-hour training course at an
13 accredited law enforcement training academy that trains the employee in:

14 (i) Fundamental use of firearms training including
15 firearm safety drills, tactics, and required qualification on an approved
16 course of fire;

17 (ii) Active shooter training;

18 (iii) Active shooter simulation scenarios;

19 (iv) Trauma care; and

20 (v) Defensive tactics;

21 (C) Shall complete annually an eight-hour training course
22 at any accredited law enforcement training academy to include:

23 (i) On-site tactical drills;

24 (ii) School safety drills; and

25 (iii) Firearms qualification on an approved course
26 of fire;

27 (D) Shall be licensed to carry a concealed handgun as
28 required by § 5-73-301 et seq.;

29 (E) Shall successfully pass a medical physical
30 examination; and

31 (F) Shall renew annually the contract to provide security
32 under this section.

33 (b) A contract under this section shall be voided if the person
34 contracted to provide security under this section is convicted of:

35 (1) A felony; or

36 (2) A misdemeanor involving violence.

1 (c) A person contracted to provide security under this section may
2 provide security to another school district if there is a reciprocal written
3 agreement between the school districts to allow the person to provide
4 security.

5 (d) A person contracted to provide security under this section shall
6 undergo the standard psychological evaluation for law enforcement personnel
7 and shall be subject to a background check.

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9 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
10 General Assembly of the State of Arkansas that the safety of our schools is
11 of paramount importance; that in some instances, the security of our schools
12 should be increased if the school feels that its own security measures are
13 lacking; and that this act is immediately necessary because the participating
14 law enforcement academies who will conduct the training will need time to
15 implement the curriculum before the next school year. Therefore, an emergency
16 is declared to exist, and this act being immediately necessary for the
17 preservation of the public peace, health, and safety shall become effective
18 on:

19 (1) The date of its approval by the Governor;

20 (2) If the bill is neither approved nor vetoed by the Governor,
21 the expiration of the period of time during which the Governor may veto the
22 bill; or

23 (3) If the bill is vetoed by the Governor and the veto is
24 overridden, the date the last house overrides the veto.