

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019

# A Bill

HOUSE BILL 1217

4  
5 By: Representative Tosh

## For An Act To Be Entitled

8 AN ACT CONCERNING THE SUBMISSION OF AND FORENSIC  
9 TESTING OF FIREARMS BY THE STATE CRIME LABORATORY;  
10 AND FOR OTHER PURPOSES.

## Subtitle

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13 CONCERNING THE SUBMISSION OF AND FORENSIC  
14 TESTING OF FIREARMS BY THE STATE CRIME  
15 LABORATORY.  
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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 § 12-12-324 is amended to read as follows:  
22 12-12-324. Testing by State Crime Laboratory.

23 (a)~~(1)~~ ~~All firearms~~ A firearm used in the commission of a crime that  
24 ~~come~~ comes into the custody of ~~any~~ a law enforcement agency in this state  
25 shall be delivered to the State Crime Laboratory within thirty (30) calendar  
26 days for ~~ballistics~~ forensic testing for firearms meeting the caliber and  
27 type determined by the Executive Director of the State Crime Laboratory.

28 ~~(2) However, if the firearm is being used as evidence in a~~  
29 ~~criminal case, then delivery shall take place within thirty (30) calendar~~  
30 ~~days after the final adjudication of the criminal proceeding.~~

31 (b)(1)(A) The laboratory may conduct ~~ballistics~~ forensic tests on all  
32 firearms received and input the resulting data into the National Integrated  
33 Ballistics Information Network of the United States Bureau of Alcohol,  
34 Tobacco, Firearms, and Explosives.

35 (B) The ~~ballistics~~ forensic tests may include, ~~but not be~~  
36 ~~limited to,~~ without limitation firing of the ~~weapon~~ firearm and electronic



1 imaging of the bullets and casings.

2 (2) The laboratory shall coordinate with all participating  
3 agencies when investigations require the use of the National Integrated  
4 Bullet Identification Network's computer database.

5 (3) The laboratory shall provide written analysis reports and  
6 experts for testimony when feasible.

7 (4) After completion of the forensic testing, the ~~firearms~~  
8 firearm shall be returned to the law enforcement ~~agencies~~ agency that  
9 submitted the firearm for forensic testing.

10 (5) When the law enforcement agency regains possession of the  
11 firearm, the law enforcement agency shall immediately notify the owner,  
12 unless the owner is prohibited by law from possessing the firearm, that the  
13 owner may regain possession of the firearm at the offices of the law  
14 enforcement agency.

15 (c) A law enforcement agency in this state may request the assistance  
16 of the Department of Arkansas State Police in tracing a firearm.

17 (d) A firearm seized by the Arkansas State Game and Fish Commission  
18 for violation of a commission regulation is exempt from this section.

19 (e) The State Crime Laboratory Board may adopt rules for the  
20 implementation of this section, including, ~~but not limited to,~~ without  
21 limitation rules regarding forensic testing of a firearm and ~~submission~~  
22 procedures for submission of a firearm.

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