

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

A Bill

SENATE BILL 403

4
5 By: Senator Irvin

For An Act To Be Entitled

8 AN ACT CONCERNING THE DISPOSITION OF A SEIZED AND
9 FORFEITED FIREARM; AND FOR OTHER PURPOSES.

Subtitle

12 CONCERNING THE DISPOSITION OF A SEIZED
14 AND FORFEITED FIREARM.

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

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19 SECTION 1. Arkansas Code § 5-73-130(k) and (l), concerning the
20 disposition of a seized and forfeited firearm, are amended to read as
21 follows:

22 (k) Upon filing the petition, the prosecuting attorney for the
23 judicial district may also seek ~~such protective orders as are necessary~~ a
24 protective order to prevent the transfer, encumbrance, or other disposal of
25 any property named in the petition.

26 (l) The law enforcement agency to which ~~the property~~ a motor vehicle
27 is forfeited shall either:

28 ~~(1) Destroy any forfeited firearm; and~~

29 ~~(2) Either:~~

30 ~~(A)~~ (1) Sell the motor vehicle in accordance with subsection (m)
31 of this section; or

32 ~~(B)~~ (2) If the motor vehicle is not subject to a lien that has
33 been preserved by the circuit court, retain the motor vehicle for official
34 use.

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36 SECTION 2. Arkansas Code § 5-73-130, concerning the disposition of a



1 forfeited firearm, is amended to add an additional subsection to read as
2 follows:

3 (p)(1) The law enforcement agency to which a firearm is forfeited may
4 trade the firearm to a federally licensed firearms dealer for credit toward
5 future purchases by the law enforcement agency.

6 (2) If the firearm is unable to be traded to a federally
7 licensed firearms dealer, the law enforcement agency may dispose of the
8 firearm as the law enforcement agency deems appropriate.

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