

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1597

5 By: Representative Boyd
6 By: Senator B. Ballinger
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE POSSESSION AND USE OF PEPPER
10 SPRAY OR TEAR GAS; AND FOR OTHER PURPOSES.

Subtitle

14 CONCERNING THE POSSESSION AND USE OF
15 PEPPER SPRAY OR TEAR GAS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 5-73-124 is repealed.

21 ~~5-73-124. Tear gas—Pepper spray.~~

22 ~~(a)(1) Except as otherwise provided in this section, any person who~~
23 ~~knowingly carries or has in his or her possession any tear gas or pepper~~
24 ~~spray in any form, or any person who knowingly carries or has in his or her~~
25 ~~possession any gun, bomb, grenade, cartridge, or other weapon designed for~~
26 ~~the discharge of tear gas or pepper spray, upon conviction is guilty of a~~
27 ~~Class A misdemeanor.~~

28 ~~(2)(A) It is lawful for a person to possess or carry, and use, a~~
29 ~~container of tear gas or pepper spray to be used for self-defense purposes~~
30 ~~only.~~

31 ~~(B) However, the capacity of the container shall not~~
32 ~~exceed one hundred fifty cubic centimeters (150 cc).~~

33 ~~(b) The provisions of this section do not apply to any:~~

34 ~~(1) Law enforcement officer while engaged in the discharge of~~
35 ~~his or her official duties; or~~

36 ~~(2) Banking institution desiring to have possession of tear gas~~



1 ~~or pepper spray in any form for the purpose of securing funds in its custody~~
2 ~~from theft or robbery.~~

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