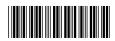
1	State of Arkansas	
2	93rd General Assembly A Bill	
3	Regular Session, 2021SENATE BILL 2	97
4		
5	By: Senator D. Wallace	
6		
7	For An Act To Be Entitled	
8	AN ACT CONCERNING FIREARM POSSESSION FOR A PERSON	
9	CONVICTED OF A FEDERAL NONVIOLENT FELONY OFFENSE; AND	
10	FOR OTHER PURPOSES.	
11		
12 13	Subtitle	
14	CONCERNING FIREARM POSSESSION FOR A	
15	PERSON CONVICTED OF A FEDERAL NONVIOLENT	
16	FELONY OFFENSE.	
17		
18		
19	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
20		
21	SECTION 1. Arkansas Code § 5-73-103(a), concerning the illegal	
22	possession of a firearm by certain persons, is amended to read as follows:	
23	(a) Except as provided in subsection <u>subsections</u> (d) <u>and (e)</u> of this	
24	section or unless authorized by and subject to such conditions as prescribed	
25	by the Governor, or his or her designee, or the United States Bureau of	
26	Alcohol, Tobacco, Firearms, and Explosives, or other bureau or office	
27	designated by the United States Department of Justice, no person shall <u>a</u>	
28	<u>person shall not</u> possess or own any firearm who <u>if the person</u> has been:	
29	(1) Convicted of a felony;	
30	(2) Adjudicated mentally ill; or	
31	(3) Committed involuntarily to any mental institution.	
32		
33	SECTION 2. Arkansas Code § 5-73-103, concerning the offense of	
34	possession of a firearm by certain persons, is amended to add an additional	
35	subsection to read as follows:	
36	<u>(e)(l) Subdivision (a)(l) of this section does not apply if:</u>	



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1	(A) The conviction is for a federal felony classified or
2	described by the United States Congress as nonviolent as of January 1, 2021,
3	and ten (10) years have elapsed since the date of the completion of the
4	sentence, including the payment of all fines, fees, and restitution; and
5	(B) The person does not have another felony conviction
6	under state or federal law.
7	(2)(A) A person who has been convicted of a federal felony as
8	described under subdivision (e)(l) of this section shall submit to a
9	background check conducted by the Division of Arkansas State Police at his or
10	her own expense.
11	(B) Upon verification that the person may possess or own a
12	firearm under this section after the background check required under
13	subdivision (e)(2)(A) of this section is completed, the Director of the
14	Division of Arkansas State Police shall notify the Arkansas Crime Information
15	Center that the person may lawfully possess or own a firearm.
16	(C) Upon receipt of the notification from the director as
17	required under subdivision (e)(2)(B) of this section, the center shall enter
18	a notation into the person's criminal history, as well as any record of the
19	person that is maintained by the center and is accessible by a law
20	enforcement agency, that the person may lawfully possess or own a firearm
21	under Arkansas law despite his or her federal felony conviction.
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