

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

# A Bill

HOUSE BILL 1528

5 By: Representative Sullivan  
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## For An Act To Be Entitled

8 AN ACT TO EXPAND THE PLACES A PERSON WHO HAS A  
9 CONCEALED CARRY LICENSE MAY CARRY A CONCEALED  
10 HANDGUN; AND FOR OTHER PURPOSES.  
11

## Subtitle

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14 TO EXPAND THE PLACES A PERSON WHO HAS A  
15 CONCEALED CARRY LICENSE MAY CARRY A  
16 CONCEALED HANDGUN.  
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18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 3-4-403(21), concerning a Class A violation  
22 for carrying a weapon on the premises of a retail liquor store, is amended to  
23 read as follows:

24 (21)(A) Possession of a weapon on the permitted premises by a  
25 person without a possessory or proprietary interest in the permitted premises  
26 unless the weapon is a concealed handgun and the person in possession of the  
27 concealed handgun has a license to carry a concealed handgun under § 5-73-301  
28 et seq.

29 ~~(B) When the permitted premises is a retail liquor store~~  
30 ~~that sells alcoholic beverages for off-premises consumption, an employee of~~  
31 ~~the retail liquor store that is licensed to carry a concealed handgun by the~~  
32 ~~state may possess a handgun on the permitted premises if the possession of~~  
33 ~~the handgun is permitted under state law.~~  
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35 SECTION 2. Arkansas Code § 5-73-119(e)(11), concerning permissible  
36 possession of a handgun or firearm on school property or in a church or other



1 place of worship, is amended to read as follows:

2 (11) ~~The person has a license to carry a concealed handgun under~~  
 3 ~~§ 5-73-301 et seq. and is carrying a concealed handgun on the developed~~  
 4 ~~property of a kindergarten through grade twelve (K-12) private school~~  
 5 ~~operated by a church or other place of worship that:~~

6 (A) ~~Is located on the developed property of the~~  
 7 ~~kindergarten through grade twelve (K-12) private school;~~

8 (B) ~~Allows the person to carry a concealed handgun into~~  
 9 ~~the church or other place of worship under § 5-73-306; and~~

10 (C) ~~Allows the person to possess a concealed handgun on~~  
 11 ~~the developed property of the kindergarten through grade twelve (K-12)~~  
 12 ~~private school. The person is carrying a concealed handgun and has a license~~  
 13 ~~to carry a concealed handgun under § 5-73-301 et seq.~~

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 15 SECTION 3. Arkansas Code § 5-73-122 is amended to read as follows:

16 5-73-122. Carrying a firearm in publicly owned buildings or  
 17 facilities.

18 (a)(1) ~~Except as provided in § 5-73-322, it~~ It is unlawful for any  
 19 ~~person other than a law enforcement officer or a security guard in the employ~~  
 20 ~~of the state or an agency of the state, or any city or county, or any state~~  
 21 ~~or federal military personnel,~~ to knowingly carry or possess a loaded firearm  
 22 or other deadly weapon in any publicly owned building or facility or on the  
 23 State Capitol grounds.

24 (2) It is unlawful for any person ~~other than a law enforcement~~  
 25 ~~officer or a security guard in the employ of the state or an agency of the~~  
 26 ~~state, or any city or county, or any state or federal military personnel,~~ to  
 27 knowingly carry or possess a firearm, whether loaded or unloaded, in the  
 28 State Capitol Building or the Arkansas Justice Building in Little Rock.

29 (3) However, ~~the provisions of~~ this subsection ~~do~~ does not apply  
 30 to:

31 (A) a A person carrying or possessing a firearm or other  
 32 deadly weapon in a publicly owned building or facility or on the State  
 33 Capitol grounds for the purpose of participating in a shooting match or  
 34 target practice under the auspices of the agency responsible for the publicly  
 35 owned building or facility or the State Capitol grounds ~~or;~~

36 (B) A person carrying or possessing a firearm or other

1 deadly weapon in a publicly owned building or facility or on the State  
 2 Capitol grounds if necessary to participate in a trade show, exhibit, or  
 3 educational course conducted in the publicly owned building or facility or on  
 4 the State Capitol grounds;

5 (C) A law enforcement officer or a security guard in the  
 6 employ of the state, an agency of the state, or a city or county;

7 (D) State or federal military personnel; or

8 (E) If not otherwise prohibited by § 5-73-306, a person  
 9 carrying a concealed handgun on the State Capitol grounds who has a license  
 10 to carry a concealed handgun under § 5-73-301 et seq.

11 (4) As used in this section, "facility" means a municipally owned  
 12 or maintained park, football field, baseball field, soccer field, or another  
 13 similar municipally owned or maintained recreational structure or property.

14 (b)(1) Any person other than a law enforcement officer, officer of the  
 15 court, or bailiff, acting in the line of duty, or any other person authorized  
 16 by the court, who possesses a handgun in the courtroom of any court of this  
 17 state upon conviction is guilty of a Class D felony.

18 (2) Otherwise, any person violating a provision of this section  
 19 upon conviction is guilty of a Class A misdemeanor.

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 21 SECTION 4. Arkansas Code § 5-73-306 is amended to read as follows:

22 5-73-306. Prohibited places.

23 ~~No~~ A license to carry a concealed handgun issued ~~pursuant to~~ under this  
 24 subchapter ~~authorizes any~~ does not authorize a person to carry a concealed  
 25 handgun into:

26 (1) Any police station, sheriff's station, or Department of  
 27 Arkansas State Police station;

28 (2) Any Arkansas Highway Police Division of the Arkansas State  
 29 Highway and Transportation Department facility;

30 ~~(3)(A) Any building of the Arkansas State Highway and~~  
 31 ~~Transportation Department or onto grounds adjacent to any building of the~~  
 32 ~~Arkansas State Highway and Transportation Department.~~

33 ~~(B) However, subdivision (3)(A) of this section does not~~  
 34 ~~apply to a rest area or weigh station of the Arkansas State Highway and~~  
 35 ~~Transportation Department.~~

36 ~~(4)~~(3) Any detention facility, prison, or jail;

1           ~~(5)~~(4) Any courthouse;

2           ~~(6)~~(A)(5)(A) Any courtroom.

3                   (B) However, ~~nothing in~~ this subchapter ~~precludes~~ does not  
4 preclude a judge from carrying a concealed weapon or determining who will  
5 carry a concealed weapon into his or her courtroom;

6           ~~(7)~~ Any polling place;

7           ~~(8)~~ Any meeting place of the governing body of any governmental  
8 entity;

9           ~~(9)~~ Any meeting of the General Assembly or a committee of the  
10 General Assembly;

11           ~~(10)~~ Any state office;

12           ~~(11)~~ Any athletic event not related to firearms;

13           ~~(12)~~ Any portion of an establishment, except a restaurant as  
14 defined in § 3-5-1202, licensed to dispense alcoholic beverages for  
15 consumption on the premises;

16           ~~(13)~~ Any portion of an establishment, except a restaurant as  
17 defined in § 3-5-1202, where beer or light wine is consumed on the premises;

18           ~~(14)~~(A)(6)(A) A school, college, community college, or  
19 university campus building or event, unless for the purpose of participating  
20 in an authorized firearms-related activity or otherwise provided for in § 5-  
21 73-322.

22                   (B) However, subdivision ~~(14)~~(A)(6)(A) of this section  
23 does not apply to a kindergarten through grade twelve (K-12) private school  
24 operated by a church or other place of worship that:

25                           (i) Is located on the developed property of the  
26 kindergarten through grade twelve (K-12) private school;

27                           (ii) Allows the licensee to carry a concealed  
28 handgun into the church or other place of worship under this section; and

29                           (iii) Allows the licensee to possess a concealed  
30 handgun on the developed property of the kindergarten through grade twelve  
31 (K-12) private school under § 5-73-119(e);

32           ~~(15)~~(7) ~~Inside the~~ The passenger terminal of any airport, except  
33 that ~~no~~ a person is not prohibited from carrying any legal firearm into the  
34 passenger terminal if the firearm is encased for shipment for purposes of  
35 checking the firearm as baggage to be lawfully transported on any aircraft;  
36 or

1           ~~(16)(A) Any church or other place of worship.~~

2           ~~(B) However, this subchapter does not preclude a church or~~  
 3 ~~other place of worship from determining who may carry a concealed handgun~~  
 4 ~~into the church or other place of worship;~~

5           ~~(17)(8)~~ Any place where the carrying of a firearm is prohibited  
 6 by federal law; or

7           ~~(18) Any place where a parade or demonstration requiring a~~  
 8 ~~permit is being held, and the licensee is a participant in the parade or~~  
 9 ~~demonstration; or~~

10           ~~(19)(A)(i)~~ (9)(A)(i) Any place at the discretion of the person or  
 11 entity exercising control over the physical location of the place by placing  
 12 at each entrance to the place a written notice clearly readable at a distance  
 13 of not less than ten feet (10') that "carrying a handgun is prohibited".

14                           (ii)(a) If the place does not have a roadway  
 15 entrance, there shall be a written notice placed anywhere upon the premises  
 16 of the place.

17   (b) In addition to the requirement of  
 18 subdivision ~~(19)(A)(ii)(a)~~ (9)(A)(i)(a) of this section, there shall be at  
 19 least one (1) written notice posted within every three (3) acres of a place  
 20 with no roadway entrance.

21   (iii) A written notice as described in subdivision  
 22 ~~(19)(A)(i)~~ (9)(A)(i) of this section is not required for a private home.

23   (iv) Any licensee entering a private home shall  
 24 notify the occupant that the licensee is carrying a concealed handgun.

25   (B) Subdivision ~~(19)(A)~~ (9)(A) of this section does not  
 26 apply if the physical location is a public university, public college, or  
 27 community college, as defined in § 5-73-322, and the licensee is carrying a  
 28 concealed handgun as provided under § 5-73-322.

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