

Stricken language would be deleted from and underlined language would be added to present law.
Act 226 of the Regular Session

State of Arkansas
89th General Assembly
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As Engrossed: H2/13/13
A Bill

HOUSE BILL 1243

By: Representatives Collins, Alexander, D. Altes, Ballinger, Barnett, Bell, Davis, Deffenbaugh, Dotson, Eubanks, Farrer, Fite, Gillam, Gossage, Hammer, Harris, House, Hutchison, Kerr, Linck, Lowery, S. Malone, D. Meeks, Miller, Neal, Payton, Scott, Wardlaw, Westerman, Womack
By: Senators Hester, J. Woods

For An Act To Be Entitled

AN ACT TO ALLOW TRAINED AND LICENSED STAFF AND FACULTY TO CARRY A CONCEALED HANDGUN ON A UNIVERSITY, COLLEGE, OR COMMUNITY COLLEGE CAMPUS UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW TRAINED AND LICENSED STAFF AND FACULTY TO CARRY A CONCEALED HANDGUN ON A UNIVERSITY, COLLEGE, OR COMMUNITY COLLEGE CAMPUS UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Arkansas Code § 5-73-119(c)(1), regarding possession of a handgun by a minor on school property, is amended to read as follows:

(c)(1) ~~No~~ Except as provided in § 5-73-322, ~~no~~ a person in this state shall not possess a handgun upon the property of any private institution of higher education or a publicly supported institution of higher education in this state on or about his or her person, in a vehicle occupied by him or her, or otherwise readily available for use with a purpose to employ the handgun as a weapon against a person.

SECTION 2. Arkansas Code § 5-73-122(a)(1), regarding the carrying of a firearm in publicly owned buildings or facilities, is amended to read as



follows:

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

SECTION 3. Arkansas Code § 5-73-306(14), regarding the carrying of concealed weapons in certain places, is amended to read as follows:

(14) ~~Any~~ A school, college, community college, or university campus building or event, ~~unless:~~

(A) for ~~For~~ the purpose of participating in an authorized firearms-related activity; or

(B) Otherwise provided for in § 5-73-322;

SECTION 4. Arkansas Code § 5-73-306(19), regarding the carrying of concealed weapons in certain places, is amended to read as follows:

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

~~(B)-(i)-(ii)(a)~~ If the place does not have a roadway entrance, there shall be a written notice placed anywhere upon the premises of the place.

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

~~(C)-(iii)~~ A written notice as described in subdivision (19)(A) of this section is not required for a private home.

~~(D)-(iv)~~ Any licensee entering a private home shall notify the occupant that the licensee is carrying a concealed handgun.

(B) Subdivision (19)(A) of this section does not apply if the physical location is a public university, public college, or community college, as defined in § 5-73-322, and the licensee is carrying a concealed

handgun as provided under § 5-73-322.

SECTION 5. Arkansas Code Title 5, Chapter 73, Subchapter 3, is amended to add a new section to read as follows:

5-73-322. Concealed handguns in a university, college, or community college building.

(a) As used in this section:

(1)(A) "Public university, public college, or community college" means an institution that:

(i) Regularly receives budgetary support from the state government;

(ii) Is part of the University of Arkansas or Arkansas State University systems; or

(iii) Is required to report to the Arkansas Higher Education Coordinating Board.

(B) "Public university, public college, or community college" does not include a private university or private college solely because:

(i) Students attending the private university or private college receive state-supported scholarships; or

(ii) The private university or private college voluntarily reports to the Arkansas Higher Education Coordinating Board; and

(2) "Staff member" means a person who is not enrolled as a full-time student at the university, college, or community college and is either employed by the university, college, or community college full time or is on a nine-month or twelve-month appointment at the university, college, or community college as a faculty member.

(b) A licensee may possess a concealed handgun in the buildings and on the grounds, whether owned or leased by the public university, public college, or public community college, of the public university, public college, or public community college where he or she is employed unless otherwise prohibited by § 5-73-306 if:

(1) He or she is a staff member; and

(2)(A) The governing board of the public university, public college, or public community college does not adopt a policy expressly disallowing the carrying of a concealed handgun by staff members in the

buildings or on the grounds of the public university, public college, or public community college and posts notices as described in § 5-73-306(19).

(B) A governing board of the public university, public college, or public community college may adopt differing policies for the carrying of a concealed handgun by staff members for different campuses, areas of a campus, or individual buildings of the public university, public college, or public community college for which the governing board is responsible.

(C) A policy disallowing the carrying of a concealed handgun by staff members into the public university, public college, or public community college expires one (1) year after the date of adoption and must be readopted each year by the governing board of the public university, public college, or public community college to remain in effect.

(c) A licensee may possess a concealed handgun in the buildings and on the grounds of the private university or private college where he or she is employed unless otherwise prohibited by § 5-73-306 if:

(1) He or she is a staff member; and

(2) The private university or private college does not adopt a policy expressly disallowing the carrying of a concealed handgun in the buildings and on the grounds of the private university or private college and posts notices as described in § 5-73-306(19).

(d) The storage of a handgun in a university or college-operated student dormitory or residence hall is prohibited, under § 5-73-119(c).

/s/Collins

APPROVED: 03/01/2013