

Stricken language would be deleted from and underlined language would be added to present law.
Act 630 of the Regular Session

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H3/18/19

A Bill

SENATE BILL 403

By: Senator Irvin

By: Representatives Vaught, A. Davis

For An Act To Be Entitled

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

Subtitle

CONCERNING THE DISPOSITION OF A SEIZED
AND FORFEITED FIREARM.

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

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

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

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

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

~~(2) Either:~~

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

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



SECTION 2. Arkansas Code § 5-73-130, concerning the disposition of a forfeited firearm, is amended to add an additional subsection to read as follows:

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

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

/s/Irvin

APPROVED: 4/1/19