

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: S3/11/21 H3/18/21

A Bill

SENATE BILL 417

By: Senator K. Hammer

By: Representative Richmond

For An Act To Be Entitled

AN ACT PERMITTING A PERSON CONVICTED OF AN ANTITRUST VIOLATION OR OTHER UNLAWFUL BUSINESS PRACTICE TO LAWFULLY POSSESS A FIREARM UNDER STATE LAW; AND FOR OTHER PURPOSES.

Subtitle

PERMITTING A PERSON CONVICTED OF AN ANTITRUST VIOLATION OR OTHER UNLAWFUL BUSINESS PRACTICE TO LAWFULLY POSSESS A FIREARM UNDER STATE LAW.

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

SECTION 1. DO NOT CODIFY. Legislative findings.

The General Assembly finds that:

(1) Under 18 U.S.C. 922(g), it is "unlawful for any person ... who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year ... to ... possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce";

(2) Under 18 U.S.C. 921(a)(20)(A), the "term "crime punishable by imprisonment for a term exceeding one year" does not include ... any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices"; and

(3) Because the United States Government does not consider



offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as disqualifying offenses for the right to lawfully possess a firearm or ammunition, the State of Arkansas shall take a similar position.

SECTION 2. Arkansas Code § 5-73-103, concerning the offense of possession of a firearm by certain persons, is amended to add an additional subsection to read as follows:

(e) As used in this section, "felony" means any state or federal felony, excluding a federal or state felony offense for which the person convicted has completed his or her sentence and pertaining to:

- (1) An antitrust violation;*
- (2) An unfair trade practice;*
- (3) Restraint of trade; or*
- (4) Another offense relating to the regulation of business practices.*

/s/K. Hammer

APPROVED: 4/12/21