

INTERIM STUDY PROPOSAL 2017-092

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3 REQUESTING THAT THE SENATE COMMITTEE ON JUDICIARY STUDY THE LEGAL
4 AND POLICY RAMIFICATIONS OF A PERSON'S LEGAL OR ILLEGAL
5 POSSESSION OF A FIREARM IN AN ESTABLISHMENT THAT SERVES ALCOHOLIC
6 BEVERAGES FOR CONSUMPTION ON THE ESTABLISHMENT'S PREMISES.
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8 WHEREAS, even before the passage of Acts 2017, Nos. 562 and 859, there
9 was confusion as to what extent a person could legally carry a firearm into
10 an establishment that serves alcoholic beverages for consumption on the
11 establishment's premises, either under the criminal law or under the
12 administrative concealed handgun licensing framework at Ark. Code Ann. § 5-
13 73-301 et seq.; and
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15 WHEREAS, the mass shooting at the Power Ultra Lounge on July 1, 2017,
16 in Little Rock, highlighted the dangers inherent in the possession and
17 illegal discharge of a firearm in an establishment that serves alcoholic
18 beverages for consumption on the establishment's premises; and
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20 WHEREAS, the Senate Committee on Judiciary should study the possession
21 of a firearm in an establishment that serves alcoholic beverages for
22 consumption on the establishment's premises from the vantage point of whether
23 the criminal law is sufficient to deter illegal firearm possession as well as
24 whether the state's public policy is sufficiently addressing both the causes
25 and effects of a person's possession of a firearm in an establishment that
26 serves alcoholic beverages for consumption on the establishment's premises;
27 and
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29 WHEREAS, the study should encompass a determination of the meaning of
30 "an establishment that serves alcoholic beverages for consumption on the
31 establishment's premises" and whether that meaning currently does, does not,
32 or should include a restaurant, lounge, bar, pub, microbrewery, or special
33 event held on another party's premises; and
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35 WHEREAS, the study should also include an evaluation of whether the
36 General Assembly should revisit legislation such as House Bill 1299 of 2017

1 or House Bill 1817 of 2017, which addressed the possession of a firearm by a
2 person under the influence of alcohol or a controlled substance; and
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4 WHEREAS, the study should further include a discussion concerning the
5 available penalties currently provided for under the law or that should be
6 considered by the General Assembly for those instances when a concealed carry
7 licensee improperly possesses a concealed handgun in an establishment that
8 serves alcoholic beverages for consumption on the establishment's premises,
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10 NOW THEREFORE,

11 BE IT PROPOSED BY THE SENATE COMMITTEE ON JUDICIARY OF THE NINETY-FIRST
12 GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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14 THAT the Senate Committee on Judiciary study the legal and policy
15 ramifications of a person's legal or illegal possession of a firearm in an
16 establishment that serves alcoholic beverages for consumption on the
17 establishment's premises.
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19 BE IT FURTHER PROPOSED THAT the House Committee on Judiciary be invited
20 to participate in the study.
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22 Respectfully submitted,
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26 Senator Will Bond

27 District 32
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30 Senator David J. Sanders

31 District 15
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34 Senator Joyce Elliott

35 District 31
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2 Representative Clarke Tucker
3 District 35
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6 Representative Warwick Sabin
7 District 33
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10 Representative Andy Davis
11 District 31
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14 Representative Charles Blake
15 District 36
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19 By: BPG/TDW
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