

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: H4/4/13 H4/16/13

# A Bill

HOUSE BILL 1284

By: Representatives Murdock, Williams

## For An Act To Be Entitled

AN ACT TO AMEND THE LAWS CONCERNING THE CARRYING OF A CONCEALED HANDGUN IN A CHURCH OR OTHER PLACE OF WORSHIP; TO EXTEND STATUTORY CHARITABLE IMMUNITY TO A CHURCH OR OTHER PLACE OF WORSHIP; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE LAWS CONCERNING THE CARRYING OF A CONCEALED HANDGUN IN A CHURCH OR OTHER PLACE OF WORSHIP; TO EXTEND STATUTORY CHARITABLE IMMUNITY TO A CHURCH OR OTHER PLACE OF WORSHIP; AND TO DECLARE AN EMERGENCY.

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

*SECTION 1. Arkansas Code § 5-73-306(16), as amended by Acts 2013, No 67, concerning the carrying of a concealed handgun in a church or other place of worship, is amended to read as follows:*

*(16)(A) Any church or other place of worship unless the church or other place of worship decides to allow a licensee to carry a concealed handgun into the church or other place of worship.*

*(B) ~~However, this subchapter does not preclude a church or other place of worship from determining who may carry a concealed handgun into the church or other place of worship;~~ Depending upon the organizational hierarchy of the church or other place of worship, the decision whether to allow a licensee to carry a concealed handgun into a church or other place of*



worship under subdivision (16)(A) of this section shall be made by:

(i) The most authoritative governing body of the church or other place of worship; or

(ii) The person vested with the ultimate decision-making authority over the church or other place of worship;

SECTION 2. Arkansas Code Title 16, Chapter 120, is amended to add a new subchapter to read as follows:

Subchapter 5 – Charitable Immunity for a Church or Other Place of Worship

16-120-501. Definitions.

(a) As used in this section, "church or other place of worship" means a physical location where persons congregate to practice a religion.

16-120-502. Charitable immunity for a church or other place of worship.

*A church or other place of worship is entitled to charitable immunity with respect to injury or death caused by a handgun on the premises without regard to whether the church or other place of worship decides to allow a concealed handgun into the church or other place of worship.*

16-120-503. Church or other place of worship not vicariously liable.

A church or other place of worship or its agent is not vicariously liable for the negligence of another person in connection with or as a result of an act or omission involving a handgun by a person on the property of the church or other place of worship.

16-120-504. Subchapter supplemental.

This subchapter is supplemental to and does not affect any tort immunity or charitable immunity a church or other place of worship may otherwise have under the law.

*/s/Murdock*