

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: H3/28/13
A Bill

HOUSE BILL 2162

By: Representative E. Armstrong

For An Act To Be Entitled

AN ACT CONCERNING THE SALE OF UNCLAIMED SEIZED
FIREARMS; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE SALE OF UNCLAIMED SEIZED
FIREARMS.

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

SECTION 1. Arkansas Code § 5-5-101(d), concerning the sale of unclaimed seized property, is amended to read as follows:

(d)(1)(A) Except as provided in subdivision (d)(2) or (d)(3) of this section, unclaimed seized property shall be sold at public auction to be held by the chief law enforcement officer of the county, city, or town law enforcement agency that seized the unclaimed seized property or the chief law enforcement officer's designee.

(B) The proceeds of the sale, less the cost of the sale and any storage charge incurred in preserving the unclaimed seized property, shall be paid into the general fund of the county, city, or town whose law enforcement agency performed the seizure.

(2)(A) Unclaimed seized property that is a recreational item may be donated at no cost to a local or state agency, a nonprofit organization, or an educational program designed to provide education, assistance, or recreation to children.

(B)(i) As used in subdivision (d)(2)(A) of this section, "recreational item" means an item generally used for children's activities and play.



(ii) "Recreational item" includes without limitation a bicycle but does not include a motor vehicle or motorcycle.

(3)(A) Unclaimed seized property that is a firearm may be sold:

(i) At a public auction;

(ii) To a federally licensed firearms dealer; or

(iii) To a federal, state, or local law enforcement agency.

(B) Except for a federally licensed firearms dealer or a person exempt under § 5-73-304, a person who bids on a handgun at a public auction under this subdivision (d)(3)(A)(i) must possess a valid license to carry a concealed handgun issued by this state.

/s/E. Armstrong