

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: S3/6/13  
**A Bill**

SENATE BILL 290

By: Senator J. English  
By: Representative Lea

### **For An Act To Be Entitled**

AN ACT CONCERNING THE FEE ASSOCIATED WITH AN APPLICATION FOR A CONCEALED CARRY LICENSE; PROVIDING FOR A REDUCED FEE FOR CERTAIN PERSONS IN ORDER TO ALLOW MORE ARKANSANS THE OPPORTUNITY TO PROTECT THEMSELVES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES

### **Subtitle**

CONCERNING THE FEE ASSOCIATED WITH AN APPLICATION FOR A CONCEALED CARRY LICENSE; PROVIDING FOR A REDUCED FEE FOR CERTAIN PERSONS IN ORDER TO ALLOW MORE ARKANSANS THE OPPORTUNITY TO PROTECT THEMSELVES; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 5-73-301 is amended to add a new definition to read as follows:

(5) "Veteran" means a person who has served in:

(A) The Army, Navy, Air Force, Coast Guard, or Marine Corps of the United States;

(B) The state military forces as defined by the Military Code of Arkansas, § 12-60-101 et seq.; or

(C) An auxiliary service of a branch of the United States armed forces.



SECTION 2. Arkansas Code § 5-73-311(a)(2), concerning the application fee to obtain a concealed handgun license, is amended to read as follows:

(2) A nonrefundable license fee of ~~one hundred dollars (\$100)~~ fifty dollars (\$50.00), except that the nonrefundable license fee is:

(A) Twenty-five dollars (\$25.00) if the applicant:

(i) Is sixty (60) years of age or older;

(ii) Is a veteran who was honorably discharged from the service in which the veteran served more than one (1) year before the date of the application; or

(B)(i) Waived if the applicant has either:

(a) Obtained an order of protection against another person under the Domestic Abuse Act of 1991, § 9-15-101 et seq.; or

(b) Obtained an order of protection from a court of another state, a federally recognized Indian tribe, or a territory with jurisdiction over the parties against another person under the laws or rules of the other state, federally recognized Indian tribe, or territory, and the requirements of § 9-15-302 concerning the full faith and credit for an out-of-state order of protection have been met.

(ii) The applicant shall present a copy of an order of protection to the department at the time of application to obtain the waiver of the nonrefundable license fee;

SECTION 3. Arkansas Code § 5-73-314 is amended to read as follows:

5-73-314. ~~Lost, or destroyed, or duplicate~~ license – Change of address.

(a) Within thirty (30) days after the changing of a permanent address, or within thirty (30) days after having a license to carry a concealed handgun lost, the licensee shall notify the Director of the Department of Arkansas State Police in writing of the change or loss.

(b) If a license to carry a concealed handgun is lost or destroyed, or a duplicate is requested, the person to whom the license to carry a concealed handgun was issued shall comply with the provisions of subsection (a) of this section and may obtain a duplicate license or ~~substitute~~ replacement license upon:

(1) ~~Payment to~~ Paying the Department of Arkansas State Police ~~of~~ a fee established by the director under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.; and

(2) Furnishing a notarized statement to the department that the license to carry a concealed handgun has been lost or that a duplicate is requested.

(c) The fee described in subdivision (b)(1) of this section shall be reduced by fifty percent (50%) if a person described in § 5-73-311(a)(2)(A) and (B) is requesting a replacement or duplicate license under this section.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that a concealed handgun can be used to protect oneself from harm; that certain persons are more susceptible to harm from other persons; and that this act is immediately necessary because a reduced fee for a concealed carry license will make it easier for certain persons to protect themselves. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

*/s/J. English*