

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

State of Arkansas  
90th General Assembly  
Regular Session, 2015

# A Bill

HOUSE BILL 1528

By: Representative Sullivan

## For An Act To Be Entitled

AN ACT TO EXPAND THE PLACES A PERSON WHO HAS A  
CONCEALED CARRY LICENSE MAY CARRY A CONCEALED  
HANDGUN; AND FOR OTHER PURPOSES.

## Subtitle

TO EXPAND THE PLACES A PERSON WHO HAS A  
CONCEALED CARRY LICENSE MAY CARRY A  
CONCEALED HANDGUN.

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

SECTION 1. Arkansas Code § 3-4-403(21), concerning a Class A violation for carrying a weapon on the premises of a retail liquor store, is amended to read as follows:

(21)~~(A)~~ Possession of a weapon on the permitted premises by a person without a possessory or proprietary interest in the permitted premises unless the weapon is a concealed handgun and the person in possession of the concealed handgun has a license to carry a concealed handgun under § 5-73-301 et seq.

~~(B) When the permitted premises is a retail liquor store that sells alcoholic beverages for off-premises consumption, an employee of the retail liquor store that is licensed to carry a concealed handgun by the state may possess a handgun on the permitted premises if the possession of the handgun is permitted under state law.~~

SECTION 2. Arkansas Code § 5-73-119(e)(11), concerning permissible possession of a handgun or firearm on school property or in a church or other



place of worship, is amended to read as follows:

~~(11) The person has a license to carry a concealed handgun under § 5-73-301 et seq., and is carrying a concealed handgun on the developed property of a kindergarten through grade twelve (K-12) private school operated by a church or other place of worship that:~~

~~(A) Is located on the developed property of the kindergarten through grade twelve (K-12) private school;~~

~~(B) Allows the person to carry a concealed handgun into the church or other place of worship under § 5-73-306; and~~

~~(C) Allows the person to possess a concealed handgun on the developed property of the kindergarten through grade twelve (K-12) private school. The person is carrying a concealed handgun and has a license to carry a concealed handgun under § 5-73-301 et seq.~~

SECTION 3. Arkansas Code § 5-73-122 is amended to read as follows:

5-73-122. Carrying a firearm in publicly owned buildings or facilities.

(a)(1) ~~Except as provided in § 5-73-322, it~~ It is unlawful for any person ~~other than a law enforcement officer or a security guard in the employ of the state or an agency of the state, or any city or county, or any state or federal military personnel,~~ to knowingly carry or possess a loaded firearm or other deadly weapon in any publicly owned building or facility or on the State Capitol grounds.

(2) It is unlawful for any person ~~other than a law enforcement officer or a security guard in the employ of the state or an agency of the state, or any city or county, or any state or federal military personnel,~~ to knowingly carry or possess a firearm, whether loaded or unloaded, in the State Capitol Building or the Arkansas Justice Building in Little Rock.

(3) However, ~~the provisions of~~ this subsection ~~do~~ does not apply to:

(A) a A person carrying or possessing a firearm or other deadly weapon in a publicly owned building or facility or on the State Capitol grounds for the purpose of participating in a shooting match or target practice under the auspices of the agency responsible for the publicly owned building or facility or the State Capitol grounds ~~or;~~

(B) A person carrying or possessing a firearm or other

deadly weapon in a publicly owned building or facility or on the State Capitol grounds if necessary to participate in a trade show, exhibit, or educational course conducted in the publicly owned building or facility or on the State Capitol grounds;

(C) A law enforcement officer or a security guard in the employ of the state, an agency of the state, or a city or county;

(D) State or federal military personnel; or

(E) If not otherwise prohibited by § 5-73-306, a person carrying a concealed handgun on the State Capitol grounds who has a license to carry a concealed handgun under § 5-73-301 et seq.

(4) As used in this section, "facility" means a municipally owned or maintained park, football field, baseball field, soccer field, or another similar municipally owned or maintained recreational structure or property.

(b)(1) Any person other than a law enforcement officer, officer of the court, or bailiff, acting in the line of duty, or any other person authorized by the court, who possesses a handgun in the courtroom of any court of this state upon conviction is guilty of a Class D felony.

(2) Otherwise, any person violating a provision of this section upon conviction is guilty of a Class A misdemeanor.

SECTION 4. Arkansas Code § 5-73-306 is amended to read as follows:

5-73-306. Prohibited places.

~~No~~ A license to carry a concealed handgun issued ~~pursuant to~~ under this subchapter ~~authorizes any~~ does not authorize a person to carry a concealed handgun into:

(1) Any police station, sheriff's station, or Department of Arkansas State Police station;

(2) Any Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department facility;

~~(3)(A) Any building of the Arkansas State Highway and Transportation Department or onto grounds adjacent to any building of the Arkansas State Highway and Transportation Department.~~

~~(B) However, subdivision (3)(A) of this section does not apply to a rest area or weigh station of the Arkansas State Highway and Transportation Department;~~

~~(4)~~(3) Any detention facility, prison, or jail;

~~(5)(4)~~ Any courthouse;

~~(6)(A)(5)(A)~~ Any courtroom.

(B) However, ~~nothing in~~ this subchapter ~~precludes~~ does not preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon into his or her courtroom;

~~(7)~~ Any polling place;

~~(8)~~ Any meeting place of the governing body of any governmental entity;

~~(9)~~ Any meeting of the General Assembly or a committee of the General Assembly;

~~(10)~~ Any state office;

~~(11)~~ Any athletic event not related to firearms;

~~(12)~~ Any portion of an establishment, except a restaurant as defined in § 3-5-1202, licensed to dispense alcoholic beverages for consumption on the premises;

~~(13)~~ Any portion of an establishment, except a restaurant as defined in § 3-5-1202, where beer or light wine is consumed on the premises;

~~(14)(A)(6)(A)~~ A school, college, community college, or university campus building or event, unless for the purpose of participating in an authorized firearms-related activity or otherwise provided for in § 5-73-322.

(B) However, subdivision ~~(14)(A)(6)(A)~~ of this section does not apply to a kindergarten through grade twelve (K-12) private school operated by a church or other place of worship that:

(i) Is located on the developed property of the kindergarten through grade twelve (K-12) private school;

(ii) Allows the licensee to carry a concealed handgun into the church or other place of worship under this section; and

(iii) Allows the licensee to possess a concealed handgun on the developed property of the kindergarten through grade twelve (K-12) private school under § 5-73-119(e);

~~(15)(7)~~ Inside the The passenger terminal of any airport, except that ~~no~~ a person is not prohibited from carrying any legal firearm into the passenger terminal if the firearm is encased for shipment for purposes of checking the firearm as baggage to be lawfully transported on any aircraft; or

~~(16)(A) Any 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;~~

~~(17)(8)~~ Any place where the carrying of a firearm is prohibited by federal law; or

~~(18) Any place where a parade or demonstration requiring a permit is being held, and the licensee is a participant in the parade or demonstration; or~~

~~(19)(A)(i)~~ (9)(A)(i) Any place at the discretion of the person or entity exercising control over the physical location of the place by placing at each entrance to the place a written notice clearly readable at a distance of not less than ten feet (10') that "carrying a handgun is prohibited".

(ii)(a) If the place does not have a roadway entrance, there shall be a written notice placed anywhere upon the premises of the place.

(b) In addition to the requirement of subdivision ~~(19)(A)(ii)(a)~~ (9)(A)(i)(a) of this section, there shall be at least one (1) written notice posted within every three (3) acres of a place with no roadway entrance.

(iii) A written notice as described in subdivision ~~(19)(A)(i)~~ (9)(A)(i) of this section is not required for a private home.

(iv) Any licensee entering a private home shall notify the occupant that the licensee is carrying a concealed handgun.

(B) Subdivision ~~(19)(A)(9)(A)~~ of this section does not apply if the physical location is a public university, public college, or community college, as defined in § 5-73-322, and the licensee is carrying a concealed handgun as provided under § 5-73-322.