

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1039

By: Representative Davis
By: Senator J. Hutchinson

For An Act To Be Entitled

AN ACT CONCERNING POSSESSION OF A DEFACED FIREARM
MANUFACTURED PRIOR TO JANUARY 1, 1968; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING POSSESSION OF A DEFACED
FIREARM MANUFACTURED PRIOR TO JANUARY 1,
1968.

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

SECTION 1. Arkansas Code § 5-73-107 is amended to read as follows:
5-73-107. Possession of a defaced firearm.

(a) A person commits the offense of possession of a defaced firearm if he or she knowingly possesses a firearm with a manufacturer's serial number or other identification mark required by law that has been removed, defaced, marred, altered, or destroyed.

(b) It is a defense to a prosecution under this section that:

(1) the The person reported the possession to the police or other governmental agency prior to arrest or the issuance of an arrest warrant or summons; or

(2) The firearm was manufactured prior to January 1, 1968.

(c)(1) Possession of a defaced firearm is a Class D felony.

(2) However, possession of a defaced firearm is a Class A misdemeanor if the manufacturer's serial number or other identification mark required by law is merely covered or obstructed, but still retrievable.

