

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/14/17 H3/22/17

A Bill

HOUSE BILL 2113

By: Representative Henderson

For An Act To Be Entitled

AN ACT CONCERNING THE TESTING OF A FIREARM STATE FOR
THE PURPOSE OF ENTRY INTO THE NATIONAL INTEGRATED
BALLISTIC INFORMATION NETWORK; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING THE TESTING OF A FIREARM FOR
THE PURPOSE OF ENTRY INTO THE NATIONAL
INTEGRATED BALLISTIC INFORMATION NETWORK.

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

SECTION 1. Arkansas Code § 12-12-324(a) and (b), concerning testing of firearms by the State Crime Laboratory, are amended to read as follows:

(a)(1) ~~All firearms~~ Firearms used in the commission of a crime that come into the custody of any law enforcement agency in this state shall be delivered to the State Crime Laboratory within thirty (30) calendar days for ballistics forensic testing for firearms meeting the caliber and type determined by the Executive Director of the Arkansas State Crime Laboratory.

~~(2) However, if the firearm is being used as evidence in a criminal case, then delivery shall take place within thirty (30) calendar days after the final adjudication of the criminal proceeding.~~

(b)(1)(A) The laboratory may conduct ~~ballistics~~ forensic tests on all firearms received and input the resulting data into the National Integrated Ballistics Information Network of the United States Bureau of Alcohol, Tobacco, Firearms and Explosives.

(B) The ~~ballistics~~ forensic tests may include, but not be



limited to, firing of the weapon and electronic imaging of the bullets and casings.

(2) The laboratory shall coordinate with all participating agencies when investigations require the use of the National Integrated Bullet Identification Network's computer database.

(3) The laboratory shall provide written analysis reports and experts for testimony when feasible.

(4) After completion of the forensic testing, the firearms shall be returned to the law enforcement agencies.

(5) When the law enforcement agency regains possession of the firearm, the law enforcement agency shall immediately notify the owner, unless the owner is prohibited by law from possessing the firearm, that the owner may regain possession of the firearm at the offices of the law enforcement agency.

(c) A law enforcement agency in this state may request the assistance of the Department of Arkansas State Police in tracing a firearm.

(d) A firearm seized by the Arkansas State Game and Fish Commission for violating a commission regulation is exempt from this section.

(e) The State Crime Laboratory Board may adopt rules for the implementation of this section, including without limitation rules regarding testing of a firearm and procedures for submission of a firearm.

/s/Henderson