

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

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

SENATE BILL 594

By: Senators Collins-Smith, Rice

By: Representative Payton

For An Act To Be Entitled

AN ACT TO BE KNOWN AS THE TRUE CAMPUS CARRY ACT;
CONCERNING THE ABILITY TO CARRY A HANDGUN ON A
COLLEGE OR UNIVERSITY CAMPUS BY A PERSON WHO HAS A
CONCEALED HANDGUN LICENSE; AND FOR OTHER PURPOSES.

Subtitle

TO BE KNOWN AS THE TRUE CAMPUS CARRY ACT;
AND CONCERNING THE ABILITY TO CARRY A
HANDGUN ON A COLLEGE OR UNIVERSITY CAMPUS
BY A PERSON WHO HAS A CONCEALED HANDGUN
LICENSE.

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

SECTION 1. Arkansas Code § 5-73-119(c), concerning the prohibition against possessing a handgun on the property of any private institution of higher education or a publicly supported institution of higher education, is amended to read as follows:

(c)(1)(A) ~~Except as provided in § 5-73-322, a person in this state shall~~ Unless permitted by the governing board of the private institution of higher education, a person may not possess a handgun upon the property of any private institution of higher education ~~or a publicly supported institution of higher education~~ in this state on or about his or her person, in a vehicle occupied by him or her, or otherwise readily available for use with a purpose to employ the handgun as a weapon against a person.

(B) Unless the person possesses a license to carry a



concealed handgun under § 5-73-301 et seq., a person may not possess a handgun upon the property of a publicly supported institution of higher education in this state on or about his or her person, in a vehicle occupied by him or her, or otherwise readily available for use with a purpose to employ the handgun as a weapon against a person.

(2) A violation of subdivision (c)(1) of this section is a Class D felony.

SECTION 2. Arkansas Code § 5-73-122(a)(3), concerning the possession of a handgun in a publicly owned building or facility or on the State Capitol grounds, is amended to read as follows:

(3) However, this subsection does not apply to a person carrying or possessing a firearm or other deadly weapon in a publicly owned building or facility or on the State Capitol grounds:

(A) 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 State Capitol grounds;

(B) 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; ~~or~~

(C)(i) If the person has a license to carry a concealed handgun under § 5-73-301 et seq. and is carrying a concealed handgun in his or her motor vehicle or has left the concealed handgun in his or her locked and unattended motor vehicle in a publicly owned and maintained parking lot.

(ii)(a) As used in this subdivision (a)(3)(C), “parking lot” means a designated area or structure or part of a structure intended for the parking of motor vehicles or a designated drop-off zone for children at school.

(b) “Parking lot” does not include a parking lot owned, maintained, or otherwise controlled by the Department of Correction or the Department of Community Correction~~;~~ or

(D) If the person has a license to carry a concealed handgun under § 5-73-301 et seq. and is carrying a concealed handgun in a publicly owned building or facility of a publicly supported institution of higher education.

SECTION 3. Arkansas Code § 5-73-306(13), concerning a place where a person with a license to carry a concealed handgun is prohibited from possessing a concealed handgun, is amended to read as follows:

(13)(A) ~~A school, college, community college, or university campus building or event.~~

(B) However, subdivision (13)(A) of this section does not apply to:

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

(c) 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); or

(ii) A kindergarten through grade twelve (K-12) private school or a prekindergarten private school that through its governing board or director has set forth the rules and circumstances under which the licensee may carry a concealed handgun into a building or event of the kindergarten through grade twelve (K-12) private school or the prekindergarten private school; or

(iii) Participation in an authorized firearms-related activity;

~~(iv) Carrying a concealed handgun as authorized under § 5-73-322; or~~

~~(v) A publicly owned and maintained parking lot of a college, community college, or university if the licensee is carrying a concealed handgun in his or her motor vehicle or has left the concealed handgun in his or her locked and unattended motor vehicle;~~

SECTION 4. Arkansas Code § 5-73-322 is repealed.

~~5-73-322. Concealed handguns in a university, college, or community college building.~~

~~(a) As used in this section:~~

~~(1)(A) "Public university, public college, or community college"~~

~~means an institution that:~~

~~(i) Regularly receives budgetary support from the state government;~~

~~(ii) Is part of the University of Arkansas or Arkansas State University systems; or~~

~~(iii) Is required to report to the Arkansas Higher Education Coordinating Board.~~

~~(B) "Public university, public college, or community college" does not include a private university or private college solely because:~~

~~(i) Students attending the private university or private college receive state-supported scholarships; or~~

~~(ii) The private university or private college voluntarily reports to the Arkansas Higher Education Coordinating Board; and~~

~~(2) "Staff member" means a person who is not enrolled as a full-time student at the university, college, or community college and is either employed by the university, college, or community college full time or is on a nine-month or twelve-month appointment at the university, college, or community college as a faculty member.~~

~~(b) A licensee may possess a concealed handgun in the buildings and on the grounds, whether owned or leased by the public university, public college, or community college, of the public university, public college, or community college where he or she is employed unless otherwise prohibited by § 5-73-306 if:~~

~~(1) He or she is a staff member; and~~

~~(2)(A) The governing board of the public university, public college, or community college does not adopt a policy expressly disallowing the carrying of a concealed handgun by staff members in the buildings or on the grounds of the public university, public college, or community college and posts notices as described in § 5-73-306(18).~~

~~(B) A governing board of the public university, public college, or community college may adopt differing policies for the carrying of a concealed handgun by staff members for different campuses, areas of a campus, or individual buildings of the public university, public college, or community college for which the governing board is responsible.~~

~~(C) A policy disallowing the carrying of a concealed~~

~~handgun by staff members into the public university, public college, or community college expires one (1) year after the date of adoption and must be readopted each year by the governing board of the public university, public college, or community college to remain in effect.~~

~~(c) A licensee may possess a concealed handgun in the buildings and on the grounds of the private university or private college where he or she is employed unless otherwise prohibited by § 5-73-306 if:~~

~~(1) He or she is a staff member; and~~

~~(2) The private university or private college does not adopt a policy expressly disallowing the carrying of a concealed handgun in the buildings and on the grounds of the private university or private college and posts notices as described in § 5-73-306(18).~~

~~(d) The storage of a handgun in a university or college-operated student dormitory or residence hall is prohibited under § 5-73-119(e).~~