

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H3/18/19
A Bill

SENATE BILL 403

By: Senator Irvin
By: Representatives Vaught, A. Davis

For An Act To Be Entitled

AN ACT CONCERNING THE DISPOSITION OF A SEIZED AND
FORFEITED FIREARM; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE DISPOSITION OF A SEIZED
AND FORFEITED FIREARM.

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

SECTION 1. Arkansas Code § 5-73-130(k) and (l), concerning the disposition of a seized and forfeited firearm, are amended to read as follows:

(k) Upon filing the petition, the prosecuting attorney for the judicial district may also seek ~~such protective orders as are necessary~~ a protective order to prevent the transfer, encumbrance, or other disposal of any property named in the petition.

(l) The law enforcement agency to which ~~the property~~ a motor vehicle is forfeited shall either:

~~(1) Destroy any forfeited firearm; and~~

~~(2) Either:~~

~~(A)~~ (1) Sell the motor vehicle in accordance with subsection (m) of this section; or

~~(B)~~ (2) If the motor vehicle is not subject to a lien that has been preserved by the circuit court, retain the motor vehicle for official use.



SECTION 2. Arkansas Code § 5-73-130, concerning the disposition of a forfeited firearm, is amended to add an additional subsection to read as follows:

(p)(1) The law enforcement agency to which a firearm is forfeited may trade the firearm to a federally licensed firearms dealer for credit toward future purchases by the law enforcement agency.

(2) If the firearm is unable to be traded to a federally licensed firearms dealer, the law enforcement agency may dispose of the firearm as the law enforcement agency deems appropriate.

/s/Irvin