

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

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: S2/15/23
A Bill

HOUSE BILL 1018

By: Representative S. Meeks

By: Senator B. Johnson

For An Act To Be Entitled

AN ACT TO AUTHORIZE A MEMBER OF A MUNICIPAL FIRE DEPARTMENT BOMB SQUAD TO LAWFULLY CARRY A WEAPON IN CERTAIN CIRCUMSTANCES; TO ALLOW MEMBERS OF A MUNICIPAL FIRE DEPARTMENT BOMB SQUAD TO CARRY A CONCEALED HANDGUN WITHOUT A LICENSE TO CARRY A CONCEALED HANDGUN IN CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW MEMBERS OF A MUNICIPAL FIRE DEPARTMENT BOMB SQUAD TO LAWFULLY CARRY A WEAPON IN CERTAIN CIRCUMSTANCES.

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

SECTION 1. Arkansas Code § 5-73-119(e)(2), concerning circumstances in which possessing a handgun on school property is permissible, is amended to read as follows:

(2) The person is a law enforcement officer, correctional officer, member of a municipal fire department bomb squad who is authorized to carry a concealed handgun under § 12-15-204, or member of the armed forces acting in the course and scope of his or her official duties;

SECTION 2. Arkansas Code § 5-73-120(c)(2), concerning circumstances in which carrying a weapon is permissible, is amended to read as follows:

(2) The person is a law enforcement officer, correctional



officer, member of a municipal fire department bomb squad who is authorized to carry a concealed handgun under § 12-15-204, or member of the armed forces acting in the course and scope of his or her official duties;

SECTION 3. Arkansas Code § 5-73-122(a)(1)-(2), concerning carrying a firearm in publicly owned buildings or facilities, is amended to read as follows:

(a)(1) Except as provided in § 5-73-322, § 5-73-306(5), § 16-21-147, and this section, it is unlawful for a person other than a law enforcement officer, either on-duty or off-duty, a security guard in the employ of the state or an agency of the state or any city or county, a member of a municipal fire department bomb squad who is authorized to carry a concealed handgun under § 12-15-204, 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, either on-duty or off-duty, a security guard in the employ of the state or an agency of the state or any city or county, a member of a municipal fire department bomb squad who is authorized to carry a concealed handgun under § 12-15-204, 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.

SECTION 4. Arkansas Code Title 12, Chapter 15, Subchapter 2, is amended to add an additional section to read as follows:

12-15-204. Bomb squad – Concealed carry of a handgun authorized.

(a) A member of a municipal fire department bomb squad may carry a concealed handgun if he or she:

(1) Has successfully completed the part-time law enforcement officer course of study approved by the Arkansas Commission on Law Enforcement Standards and Training, as required for specialized police personnel;

(2) Is acting in his or her official capacity as a member of a municipal fire department bomb squad;

(3) Is not subject to any disciplinary action that suspends his or her authority as a member of the municipal fire department bomb squad;

(4) Is carrying a badge or appropriate written photographic identification issued by the municipal fire department identifying him or her as a member of the municipal fire department bomb squad;

(5) Is not otherwise prohibited under federal law from receiving or possessing a firearm;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Has fingerprint impressions on file with the Division of Arkansas State Police automated fingerprint identification system.

(b) A member of a municipal fire department bomb squad carrying a concealed handgun under this section is not subject to the prohibitions and limitations of § 5-73-306.

/s/S. Meeks