

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: S3/30/23

A Bill

SENATE BILL 405

By: Senators K. Hammer, Irvin

By: Representative Dalby

For An Act To Be Entitled

AN ACT TO AMEND THE CLASSIFICATION OF THE OFFENSE OF
POSSESSION OF A HANDGUN BY A MINOR; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE CLASSIFICATION OF THE
OFFENSE OF POSSESSION OF A HANDGUN BY A
MINOR.

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

SECTION 1. Arkansas Code § 5-73-119(a), concerning the offense of possession of a handgun by a minor, is amended to read as follows:

(a)(1) *No person in this state under eighteen (18) years of age shall possess a handgun.*

(2)(A) *A violation of subdivision (a)(1) of this section is a Class A misdemeanor.*

(B) *A violation of subdivision (a)(1) of this section is a Class D felony if the person ~~has previously:~~*

(i) ~~Been~~ Has previously been adjudicated delinquent for a violation of subdivision (a)(1) of this section;

(ii) ~~Been~~ Has previously been adjudicated delinquent for any offense that would be a felony if committed by an adult; ~~or~~

(iii) ~~Pleaded~~ Has previously pleaded guilty or nolo contendere to or been found guilty of a felony in circuit court while under eighteen (18) years of age;



(iv) Possesses more than one (1) handgun;

(v) Possesses a handgun while engaging in any
criminal activity; or

(vi) Possesses a handgun on or within one thousand
feet (1,000') of the real property of a certified drug-free zone as defined
in § 5-64-402.

/s/K. Hammer