

State of Arkansas

As Engrossed: S3/26/15

90th General Assembly

A Bill

Regular Session, 2015

HOUSE BILL 1505

By: Representatives M. Gray, Ballinger, Baltz, Bell, Bentley, Brown, Collins, Cozart, Davis, Della Rosa, Dotson, C. Douglas, Eubanks, Farrer, Gates, Gonzales, G. Hodges, Ladyman, Lemons, Lundstrum, McNair, Miller, Neal, Petty, Pitsch, Ratliff, Richmond, Rushing, B. Smith, Speaks, Sturch, Tosh, Wallace, Wardlaw

By: Senator Collins-Smith

For An Act To Be Entitled

AN ACT CONCERNING THE CARRYING OF A CONCEALED HANDGUN ON CERTAIN PUBLIC PROPERTY AS WELL AS IN CERTAIN PUBLICLY MAINTAINED PARKING LOTS BY A CONCEALED CARRY LICENSEE; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE CARRYING OF A CONCEALED HANDGUN ON CERTAIN PUBLIC PROPERTY AS WELL AS IN CERTAIN PUBLICLY MAINTAINED PARKING LOTS BY A CONCEALED CARRY LICENSEE.

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

SECTION 1. Arkansas Code § 5-73-119(e), concerning possession of a firearm on school property, is amended to add an additional subdivision to read as follows:

(12)(A) 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.

(B)(i) As used in this subdivision (e)(12), "parking lot" means a designated area or structure or part of a structure intended for the



1 parking of motor vehicles or a designated drop-off zone for children at a
2 school.

3 (ii) "Parking lot" does not include a parking lot owned,
4 maintained, or otherwise controlled by the Department of Correction or
5 Department of Community Correction.

6
7 SECTION 2. Arkansas Code § 5-73-122(a)(3), concerning carrying a
8 firearm or deadly weapon in a publicly owned building or on the State Capitol
9 grounds, is amended to read as follows:

10 (3) However, ~~the provisions of~~ this subsection ~~do~~ does not apply
11 to a person carrying or possessing a firearm or other deadly weapon in a
12 publicly owned building or facility or on the State Capitol grounds;

13 (A) ~~for~~ For the purpose of participating in a shooting
14 match or target practice under the auspices of the agency responsible for the
15 publicly owned building or facility or State Capitol grounds; ~~or~~

16 (B) ~~if~~ If necessary to participate in a trade show,
17 exhibit, or educational course conducted in the publicly owned building or
18 facility or on the State Capitol grounds; ~~or~~

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

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

27 (b) "Parking lot" does not include a parking
28 lot owned, maintained, or otherwise controlled by the Department of
29 Correction or Department of Community Correction.

30
31 SECTION 3. Arkansas Code § 5-73-301 is amended to add an additional
32 subdivision to read as follows:

33 (6) "Parking lot" means an area, structure, or part of a
34 structure designated for the parking of motor vehicles or a designated drop-
35 off zone for children at a school."

1 *SECTION 4. Arkansas Code § 5-73-306(3), concerning the prohibition*
2 *against carrying a concealed handgun by a concealed carry licensee into a*
3 *building operated by the Arkansas State Highway and Transportation*
4 *Department, is amended to read as follows:*

5 (3)(A) Any building of the Arkansas State Highway and
6 Transportation Department or onto grounds adjacent to any building of the
7 Arkansas State Highway and Transportation Department.

8 (B) However, subdivision (3)(A) of this section does not
9 apply to:

10 (i) a rest area or weigh station of the Arkansas
11 State Highway and Transportation Department; or

12 (ii) A publicly owned and maintained parking lot
13 that is a publicly accessible parking lot if the licensee is carrying a
14 concealed handgun in his or her motor vehicle or has left the concealed
15 handgun in his or her locked and unattended motor vehicle in the publicly
16 owned and maintained parking lot;

17
18 *SECTION 5. Arkansas Code § 5-73-306(14), concerning the prohibition*
19 *against carrying a concealed handgun by a concealed carry licensee into a*
20 *school, college, community college, or university campus building or event,*
21 *is amended to read as follows:*

22 (14)(A) A school, college, community college, or university
23 campus building or event, ~~unless for the purpose of participating in an~~
24 ~~authorized firearms-related activity or otherwise provided for in § 5-73-322.~~

25 (B) However, subdivision (14)(A) of this section does not
26 apply to:

27 (i) a kindergarten through grade twelve (K-12)
28 private school operated by a church or other place of worship that:

29 ~~(i)~~ (a) Is located on the developed property of
30 the kindergarten through grade twelve (K-12) private school;

31 ~~(ii)~~ (b) Allows the licensee to carry a
32 concealed handgun into the church or other place of worship under this
33 section; and

34 ~~(iii)~~ (c) Allows the licensee to possess a
35 concealed handgun on the developed property of the kindergarten through grade
36 twelve (K-12) private school under § 5-73-119(e);

1 (ii) Participation in an authorized firearms-related
2 activity;

3 (iii) Carrying a concealed handgun as authorized
4 under 5-73-322; or

5 (iv) A publicly owned and maintained parking lot of
6 a college, community college, or university if the licensee is carrying a
7 concealed handgun in his or her motor vehicle or has left the concealed
8 handgun in his or her locked and unattended motor vehicle.

9
10 SECTION 6. Arkansas Code § 5-73-306(19), concerning the prohibition
11 against carrying a concealed handgun by a concealed carry licensee into a
12 place at the discretion of another person, is amended to read as follows:

13 (19)(A)(i) Any place at the discretion of the person or entity
14 exercising control over the physical location of the place by placing at each
15 entrance to the place a written notice clearly readable at a distance of not
16 less than ten feet (10') that "carrying a handgun is prohibited".

17 (ii)(a) If the place does not have a roadway
18 entrance, there shall be a written notice placed anywhere upon the premises
19 of the place.

20 (b) In addition to the requirement of
21 subdivision (19)(A)(ii)(a) of this section, there shall be at least one (1)
22 written notice posted within every three (3) acres of a place with no roadway
23 entrance.

24 (iii) A written notice as described in subdivision
25 (19)(A)(i) of this section is not required for a private home.

26 (iv) Any licensee entering a private home shall
27 notify the occupant that the licensee is carrying a concealed handgun.

28 (B) Subdivision (19)(A) of this section does not apply if the
29 physical location is:

30 (i) a public university, public college, or community
31 college, as defined in § 5-73-322, and the licensee is carrying a concealed
32 handgun as provided under § 5-73-322; or

33 (ii) A publicly owned and maintained parking lot if the
34 licensee is carrying a concealed handgun in his or her motor vehicle or has
35 left the concealed handgun in his or her locked and unattended motor vehicle.

36

SECTION 7. Arkansas Code § 5-73-306(4), concerning the prohibition against carrying a concealed handgun by a concealed carry licensee into any detention facility, prison, or jail, is amended to read as follows:

(4) Any part of a detention facility, prison, or jail, including without limitation a parking lot owned, maintained, or otherwise controlled by the Department of Correction or Department of Community Correction;

/s/M. Gray