

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1152

5 By: Representative Watson
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE ABILITY OF AN AUXILIARY LAW
9 ENFORCEMENT OFFICER TO CARRY A CONCEALED HANDGUN AND
10 TO BE EXEMPTED FROM THE LICENSING REQUIREMENTS TO
11 CARRY A CONCEALED HANDGUN; AND FOR OTHER PURPOSES.
12
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Subtitle

14 CONCERNING THE ABILITY OF AN AUXILIARY
15 LAW ENFORCEMENT OFFICER TO CARRY A
16 CONCEALED HANDGUN AND TO BE EXEMPTED FROM
17 THE LICENSING REQUIREMENTS TO CARRY A
18 CONCEALED HANDGUN.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 5-73-304 is amended to read as follows:
25 5-73-304. Exemptions.

26 (a)(1)(A) A current or former certified law enforcement officer, chief
27 of police, court bailiff, or county sheriff is exempt from the licensing
28 requirements of this subchapter if otherwise authorized to carry a concealed
29 handgun.

30 (B) A former certified law enforcement officer whose
31 employment was terminated by a law enforcement agency due to disciplinary
32 reasons or because he or she committed a disqualifying criminal offense is
33 not exempt from the licensing requirements of this subchapter.

34 (2) Solely for purposes of this subchapter, an auxiliary law
35 enforcement officer certified by the Arkansas Commission on Law Enforcement
36 Standards and Training and approved by the county sheriff of the county where



1 he or she is acting as an auxiliary law enforcement officer is deemed to be a
2 certified law enforcement officer.

3 (b)(1) ~~An auxiliary law enforcement officer or employee of a local~~
4 ~~detention facility~~ is exempt from the licensing requirements of this
5 subchapter if the auxiliary law enforcement officer ~~or employee of a local~~
6 ~~detention facility~~;

7 ~~(1) If an auxiliary law enforcement officer,~~ has completed the
8 minimum training requirements and is certified as an auxiliary law
9 enforcement officer in accordance with the commission; ~~and.~~

10 (2) ~~Is~~ An employee of a local detention facility is exempt from
11 the licensing requirements of this subchapter if the employee of a local
12 detention facility is authorized in writing as exempt from the licensing
13 requirements of this subchapter by the chief of police or county sheriff that
14 ~~has appointed the auxiliary law enforcement officer or~~ employs the employee
15 of a local detention facility.

16 (c) The authorization prescribed in subdivision (b)(2) of this section
17 shall be carried on the person of the ~~auxiliary law enforcement officer or~~
18 employee of a local detention facility and be produced upon demand at the
19 request of any law enforcement officer or owner or operator of any of the
20 prohibited places as set out in § 5-73-306.

21 (d) As used in this section, "employee of a local detention facility"
22 means a person who:

23 (1) Is employed by a county sheriff or municipality that
24 operates a local detention facility and whose job duties include:

25 (A) Securing a local detention facility;

26 (B) Monitoring inmates in a local detention facility; and

27 (C) Administering the daily operation of the local
28 detention facility; and

29 (2) Has completed the minimum training requirements for his or
30 her position.

31
32 SECTION 2. Arkansas Code § 12-9-304(f), concerning law enforcement
33 training requirements for an auxiliary law enforcement officer, is amended to
34 read as follows:

35 (f)(1) It shall be the responsibility of the appointing law
36 enforcement agency to provide or have provided not less than one hundred

1 (100) hours of commission-approved law enforcement training, which will
 2 include a firearms qualification course equivalent to the firearms
 3 qualification requirements for a full-time law enforcement officer, and no
 4 auxiliary law enforcement officer shall bear arms until having successfully
 5 completed the training.

6 (2) An auxiliary law enforcement officer is not required to
 7 requalify for firearms qualification beyond what a full-time law enforcement
 8 officer is required to complete for requalification for the purposes of
 9 carrying a concealed handgun while the auxiliary law enforcement officer
 10 remains appointed as an auxiliary law enforcement officer.

11
 12 SECTION 3. Arkansas Code § 12-15-201(1), concerning the definition of
 13 "auxiliary law enforcement officer" as used in concealed handgun licensing,
 14 is amended to read as follows:

15 (1) "Auxiliary law enforcement officer" means a person certified
 16 by the Arkansas Commission on Law Enforcement Standards and Training and
 17 approved by the county sheriff or chief of police of a municipality where he
 18 or she is acting as an auxiliary law enforcement officer if+

19 ~~(A) The the auxiliary law enforcement officer has~~
 20 ~~completed the minimum training requirements and is certified as an auxiliary~~
 21 ~~law enforcement officer in accordance with the commission; and~~

22 ~~(B) The chief of police of the law enforcement agency or~~
 23 ~~county sheriff authorizes the status of the auxiliary law enforcement officer~~
 24 ~~and the authorization is+~~

25 ~~(i) In writing;~~

26 ~~(ii) In the possession of the auxiliary law~~
 27 ~~enforcement officer; and~~

28 ~~(iii) Produced upon demand at the request of any law~~
 29 ~~enforcement officer or owner or operator of any of the prohibited places~~
 30 ~~under § 5-73-306;~~