

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

As Engrossed: H3/14/17 H3/22/17

# A Bill

HOUSE BILL 2113

5 By: Representative Henderson  
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## For An Act To Be Entitled

8 AN ACT CONCERNING THE TESTING OF A FIREARM STATE FOR  
9 THE PURPOSE OF ENTRY INTO THE NATIONAL INTEGRATED  
10 BALLISTIC INFORMATION NETWORK; AND FOR OTHER  
11 PURPOSES.  
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### Subtitle

14 CONCERNING THE TESTING OF A FIREARM FOR  
15 THE PURPOSE OF ENTRY INTO THE NATIONAL  
16 INTEGRATED BALLISTIC INFORMATION NETWORK.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 12-12-324(a) and (b), concerning testing of  
23 firearms by the State Crime Laboratory, are amended to read as follows:

24 (a)(1) ~~All firearms~~ Firearms used in the commission of a crime that  
25 come into the custody of any law enforcement agency in this state shall be  
26 delivered to the State Crime Laboratory within thirty (30) calendar days for  
27 ~~ballistics forensic testing for firearms meeting the caliber and type~~  
28 determined by the Executive Director of the Arkansas State Crime Laboratory.

29 ~~(2) However, if the firearm is being used as evidence in a~~  
30 ~~criminal case, then delivery shall take place within thirty (30) calendar~~  
31 ~~days after the final adjudication of the criminal proceeding.~~

32 (b)(1)(A) The laboratory may conduct ~~ballistics forensic~~ forensic tests on all  
33 firearms received and input the resulting data into the National Integrated  
34 Ballistics Information Network of the United States Bureau of Alcohol,  
35 Tobacco, Firearms and Explosives.

36 (B) The ~~ballistics forensic~~ forensic tests may include, but not be



1 *limited to, firing of the weapon and electronic imaging of the bullets and*  
2 *casings.*

3 *(2) The laboratory shall coordinate with all participating*  
4 *agencies when investigations require the use of the National Integrated*  
5 *Bullet Identification Network's computer database.*

6 *(3) The laboratory shall provide written analysis reports and*  
7 *experts for testimony when feasible.*

8 *(4) After completion of the forensic testing, the firearms shall*  
9 *be returned to the law enforcement agencies.*

10 *(5) When the law enforcement agency regains possession of the*  
11 *firearm, the law enforcement agency shall immediately notify the owner,*  
12 *unless the owner is prohibited by law from possessing the firearm, that the*  
13 *owner may regain possession of the firearm at the offices of the law*  
14 *enforcement agency.*

15 *(c) A law enforcement agency in this state may request the assistance*  
16 *of the Department of Arkansas State Police in tracing a firearm.*

17 *(d) A firearm seized by the Arkansas State Game and Fish Commission*  
18 *for violating a commission regulation is exempt from this section.*

19 *(e) The State Crime Laboratory Board may adopt rules for the*  
20 *implementation of this section, including without limitation rules regarding*  
21 *testing of a firearm and procedures for submission of a firearm.*

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23 */s/Henderson*  
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