

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

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4
5 By: Senator J. Dismang
6

As Engrossed: S3/21/17

A Bill

SENATE BILL 724

For An Act To Be Entitled

8 *AN ACT CONCERNING POSSESSION OF A CONCEALED HANDGUN*
9 *ON THE PREMISES AND ON THE GROUNDS OF A TEACHING*
10 *HOSPITAL; EXEMPTING A PRIVATE UNIVERSITY OR PRIVATE*
11 *COLLEGE FROM THE REQUIREMENT THAT IT POST AT ITS*
12 *ENTRANCE THAT THE PRIVATE UNIVERSITY OR PRIVATE*
13 *COLLEGE DOES NOT PERMIT THE CARRYING OF A CONCEALED*
14 *HANDGUN; AND FOR OTHER PURPOSES.*

Subtitle

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18 *CONCERNING POSSESSION OF A CONCEALED*
19 *HANDGUN ON THE PREMISES AND ON THE*
20 *GROUNDS OF A TEACHING HOSPITAL; AND*
21 *CONCERNING THE POSSESSION OF A CONCEALED*
22 *HANDGUN AT A PRIVATE UNIVERSITY OR*
23 *PRIVATE COLLEGE.*

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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 *SECTION 1. Arkansas Code § 5-73-101, concerning definitions used for*
29 *weapons offenses, is amended to add an additional definition to read as*
30 *follows:*

31 *(11)(A) "Public teaching hospital" means a publicly funded*
32 *institution of higher education that also includes a hospital or other*
33 *facility where health care is administered either in an instructional setting*
34 *or in another setting.*

35 *(B) "Public teaching hospital" includes without limitation*
36 *the premises and buildings of the University of Arkansas for Medical Sciences*



1 and the Arkansas State Hospital.

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3 SECTION 2. Arkansas Code § 5-73-122, as amended by House Bill 1249 of
4 2017, is amended to read as follows:

5 5-73-122. Carrying a firearm in publicly owned buildings or
6 facilities.

7 (a)(1) Except as provided in §§ 5-73-322 and § 5-73-306, it is
8 unlawful for any person other than a law enforcement officer or a security
9 guard in the employ of the state or an agency of the state, or any city or
10 county, or any state or federal military personnel, to knowingly carry or
11 possess a loaded firearm or other deadly weapon in any publicly owned
12 building or facility or on the State Capitol grounds.

13 (2) It is unlawful for any person other than a law enforcement
14 officer or a security guard in the employ of the state or an agency of the
15 state, or any city or county, or any state or federal military personnel, to
16 knowingly carry or possess a firearm, whether loaded or unloaded, in the
17 State Capitol Building or the Justice Building in Little Rock.

18 (3) However, this subsection does not apply to a person carrying
19 or possessing a firearm or other deadly weapon in a publicly owned building
20 or facility or on the State Capitol grounds:

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

24 (B) If necessary to participate in a trade show, exhibit,
25 or educational course conducted in the publicly owned building or facility or
26 on the State Capitol grounds;

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

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

35 (b) "Parking lot" does not include a parking
36 lot owned, maintained, or otherwise controlled by the Department of

1 Correction or Department of Community Correction;

2 (D) If the person has completed the required training and
3 received a concealed carry endorsement under § 5-73-322(g) and the place is
4 not a:

5 (i) Courtroom or the location of an administrative
6 hearing conducted by a state agency, except as permitted by § 5-73-306(5) or
7 ~~(6)~~ § 5-73-306(6);

8 (ii) Public school kindergarten through grade twelve
9 (K-12) or a public prekindergarten, except as permitted under subdivision
10 (a)(3)(C) of this section; ~~or~~

11 (iii) A facility operated by the Department of
12 Correction or the Department of Community Correction; or

13 (iv) Premises or building owned by, operated by,
14 administered by, or associated in a clinical setting with a public teaching
15 hospital; or

16 (E) If the person has a license to carry a concealed
17 handgun under § 5-73-301 et seq., is a justice of the Supreme Court or a
18 judge on the Court of Appeals, and is carrying a concealed handgun in the
19 Justice Building.

20 (4) As used in this section, "facility" means a municipally
21 owned or maintained park, football field, baseball field, soccer field, or
22 another similar municipally owned or maintained recreational structure or
23 property.

24 (b)(1) Any person other than a law enforcement officer, officer of the
25 court, or bailiff, acting in the line of duty, or any other person authorized
26 by the court, who possesses a handgun in the courtroom of any court of this
27 state is guilty of a Class D felony, except as permitted under § 5-73-306(5),
28 § 5-73-306(6), or this section.

29 (2) Otherwise, any person violating a provision of this section
30 is guilty of a Class A misdemeanor.

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32 SECTION 3. Arkansas Code § 5-73-301, concerning definitions involving
33 the carrying of a concealed handgun, is amended to add an additional
34 subdivision to read as follows:

35 (7) "Private university or private college" means an institution
36 of higher education that is not a public university, public college, or

1 community college as defined in § 5-73-322.

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3 SECTION 4. Arkansas Code § 5-73-306(17) and (18), concerning places
4 where carrying a concealed handgun by a concealed handgun licensee is
5 prohibited, is amended to read as follows:

6 (17) Any place where a parade or demonstration requiring a
7 permit is being held, and the licensee is a participant in the parade or
8 demonstration; ~~or~~

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

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

16 (b) In addition to the requirement of
17 subdivision (18)(A)(ii)(a) of this section, there shall be at least one (1)
18 written notice posted within every three (3) acres of a place with no roadway
19 entrance.

20 (iii) A written notice as described in subdivision
21 (18)(A)(i) of this section is not required for a private home.

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

24 (B) Subdivision (18)(A) of this section does not apply if
25 the physical location is:

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

29 (ii) A publicly owned and maintained parking lot if
30 the licensee is carrying a concealed handgun in his or her motor vehicle or
31 has left the concealed handgun in his or her locked and unattended motor
32 vehicle; or

33 (19) Any premises owned or operated by a private university or
34 private college unless the private university or private college permits a
35 licensee to carry a concealed handgun on the premises.

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