

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4
5 By: Senator K. Hammer

A Bill

SENATE BILL 417

For An Act To Be Entitled

8 AN ACT PERMITTING A PERSON CONVICTED OF AN ANTITRUST
9 VIOLATION OR OTHER UNLAWFUL BUSINESS PRACTICE TO
10 LAWFULLY POSSESS A FIREARM UNDER STATE LAW; AND FOR
11 OTHER PURPOSES.

Subtitle

15 PERMITTING A PERSON CONVICTED OF AN
16 ANTITRUST VIOLATION OR OTHER UNLAWFUL
17 BUSINESS PRACTICE TO LAWFULLY POSSESS A
18 FIREARM UNDER STATE LAW.

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

23 SECTION 1. DO NOT CODIFY. Legislative findings.

24 The General Assembly finds that:

25 (1) Under 18 U.S.C. 922(g), it is "unlawful for any person ...
26 who has been convicted in any court of, a crime punishable by imprisonment
27 for a term exceeding one year ... to ... possess in or affecting commerce,
28 any firearm or ammunition; or to receive any firearm or ammunition which has
29 been shipped or transported in interstate or foreign commerce";

30 (2) Under 18 U.S.C. 921(a)(20)(A), the "term "crime punishable
31 by imprisonment for a term exceeding one year" does not include ... any
32 Federal or State offenses pertaining to antitrust violations, unfair trade
33 practices, restraints of trade, or other similar offenses relating to the
34 regulation of business practices"; and

35 (3) Because the United States Government does not consider
36 offenses pertaining to antitrust violations, unfair trade practices,



1 restraints of trade, or other similar offenses relating to the regulation of
2 business practices as disqualifying offenses for the right to lawfully
3 possess a firearm or ammunition, the State of Arkansas shall take a similar
4 position.

5
6 SECTION 2. Arkansas Code § 5-73-103, concerning the offense of
7 possession of a firearm by certain persons, is amended to add an additional
8 subsection to read as follows:

9 (e) As used in this section, "felony" means any state or federal
10 felony, excluding a federal or state felony offense pertaining to:

- 11 (1) An antitrust violation;
- 12 (2) An unfair trade practice;
- 13 (3) Restraint of trade; or
- 14 (4) Another offense relating to the regulation of business
15 practices.