

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

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H4/4/13 H4/16/13

A Bill

HOUSE BILL 1284

5 By: Representatives Murdock, Williams
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAWS CONCERNING THE CARRYING OF A
9 CONCEALED HANDGUN IN A CHURCH OR OTHER PLACE OF
10 WORSHIP; TO EXTEND STATUTORY CHARITABLE IMMUNITY TO A
11 CHURCH OR OTHER PLACE OF WORSHIP; TO DECLARE AN
12 EMERGENCY; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 TO AMEND THE LAWS CONCERNING THE CARRYING
16 OF A CONCEALED HANDGUN IN A CHURCH OR
17 OTHER PLACE OF WORSHIP; TO EXTEND
18 STATUTORY CHARITABLE IMMUNITY TO A CHURCH
19 OR OTHER PLACE OF WORSHIP; AND TO DECLARE
20 AN EMERGENCY.
21
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 *SECTION 1. Arkansas Code § 5-73-306(16), as amended by Acts 2013, No*
27 *67, concerning the carrying of a concealed handgun in a church or other place*
28 *of worship, is amended to read as follows:*

29 *(16)(A) Any church or other place of worship unless the church*
30 *or other place of worship decides to allow a licensee to carry a concealed*
31 *handgun into the church or other place of worship.*

32 *(B) ~~However, this subchapter does not preclude a church or~~*
33 *~~other place of worship from determining who may carry a concealed handgun~~*
34 *~~into the church or other place of worship; Depending upon the organizational~~*
35 *hierarchy of the church or other place of worship, the decision whether to*
36 *allow a licensee to carry a concealed handgun into a church or other place of*



1 worship under subdivision (16)(A) of this section shall be made by:

2 (i) The most authoritative governing body of the church or
3 other place of worship; or

4 (ii) The person vested with the ultimate decision-making
5 authority over the church or other place of worship;

6
7 SECTION 2. Arkansas Code Title 16, Chapter 120, is amended to add a
8 new subchapter to read as follows:

9 Subchapter 5 – Charitable Immunity for a Church or Other Place of Worship

10
11 16-120-501. Definitions.

12 (a) As used in this section, "church or other place of worship" means
13 a physical location where persons congregate to practice a religion.

14
15 16-120-502. Charitable immunity for a church or other place of
16 worship.

17 *A church or other place of worship is entitled to charitable immunity*
18 *with respect to injury or death caused by a handgun on the premises without*
19 *regard to whether the church or other place of worship decides to allow a*
20 *concealed handgun into the church or other place of worship.*

21
22 16-120-503. Church or other place of worship not vicariously liable.

23 A church or other place of worship or its agent is not vicariously
24 liable for the negligence of another person in connection with or as a result
25 of an act or omission involving a handgun by a person on the property of the
26 church or other place of worship.

27
28 16-120-504. Subchapter supplemental.

29 This subchapter is supplemental to and does not affect any tort
30 immunity or charitable immunity a church or other place of worship may
31 otherwise have under the law.

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33
34 */s/Murdock*