

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

*As Engrossed: H3/28/13*

# A Bill

HOUSE BILL 2162

5 By: Representative E. Armstrong  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING THE SALE OF UNCLAIMED SEIZED  
9 FIREARMS; AND FOR OTHER PURPOSES.

### Subtitle

12 CONCERNING THE SALE OF UNCLAIMED SEIZED  
13 FIREARMS.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 5-5-101(d), concerning the sale of  
20 unclaimed seized property, is amended to read as follows:

21 (d)(1)(A) Except as provided in subdivision (d)(2) or (d)(3) of this  
22 section, unclaimed seized property shall be sold at public auction to be held  
23 by the chief law enforcement officer of the county, city, or town law  
24 enforcement agency that seized the unclaimed seized property or the chief law  
25 enforcement officer's designee.

26 (B) The proceeds of the sale, less the cost of the sale  
27 and any storage charge incurred in preserving the unclaimed seized property,  
28 shall be paid into the general fund of the county, city, or town whose law  
29 enforcement agency performed the seizure.

30 (2)(A) Unclaimed seized property that is a recreational item may  
31 be donated at no cost to a local or state agency, a nonprofit organization,  
32 or an educational program designed to provide education, assistance, or  
33 recreation to children.

34 (B)(i) As used in subdivision (d)(2)(A) of this section,  
35 "recreational item" means an item generally used for children's activities  
36 and play.



1 (ii) "Recreational item" includes without limitation  
2 a bicycle but does not include a motor vehicle or motorcycle.

3 (3)(A) Unclaimed seized property that is a firearm may be sold:

4 (i) At a public auction;

5 (ii) To a federally licensed firearms dealer; or

6 (iii) To a federal, state, or local law enforcement  
7 agency.

8 (B) Except for a federally licensed firearms dealer or a  
9 person exempt under § 5-73-304, a person who bids on a handgun at a public  
10 auction under this subdivision (d)(3)(A)(i) must possess a valid license to  
11 carry a concealed handgun issued by this state.

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14 /s/E. Armstrong  
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