

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

*As Engrossed: H4/1/13*

HJR 1018

5 By: Representatives *Bell, Dotson, Alexander, D. Altes, Ballinger, Farrer, Harris, Miller, Payton, Scott,*  
6 *Womack*  
7

8 **HOUSE JOINT RESOLUTION**

9 TO AMEND THE ARKANSAS CONSTITUTION CONCERNING THE  
10 APPLICATION OF ARKANSAS LAW AND UNITED STATES LAW FOR  
11 THE PURPOSE OF PROTECTING RIGHTS AND PRIVILEGES  
12 *GRANTED UNDER THE SECOND, NINTH, AND TENTH AMENDMENTS*  
13 *OF THE UNITED STATES CONSTITUTION; TO REQUIRE PUBLIC*  
14 *SERVANTS TO DISREGARD UNCONSTITUTIONAL OVERREACHES OF*  
15 *POWER; TO LIMIT REGULATION OF THE MANUFACTURE,*  
16 *POSSESSION, ASSEMBLY, AND TRADE OF FIREARMS WITHIN*  
17 *THE BORDERS OF ARKANSAS; AND TO CLARIFY THE*  
18 *RESPONSIBILITIES OF MEMBERS OF THE MILITIA UNDER*  
19 *ARTICLE 11, § 1 OF THE ARKANSAS CONSTITUTION.*  
20  
21

22 **Subtitle**

23 *THE ARKANSAS FIREARMS FREEDOM AMENDMENT*  
24 *OF 2014.*  
25  
26

27 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL  
28 ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL  
29 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:  
30

31 THAT the following is proposed as an amendment to the Constitution of  
32 the State of Arkansas, and upon being submitted to the electors of the state  
33 for approval or rejection at the next general election for Representatives  
34 and Senators, if a majority of the electors voting thereon at the election  
35 adopt the amendment, the amendment shall become a part of the Constitution of  
36 the State of Arkansas, to wit:



1  
2        SECTION 1. This amendment shall be known and may be cited as the  
3 "Arkansas Firearms Freedom Amendment of 2014."

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5        SECTION 2. Article 19 of the Arkansas Constitution is amended to add  
6 additional sections to read as follows:

7        § 28. Jurisdiction over firearm regulation.

8        (a) A personal firearm, a firearm accessory, or ammunition is not  
9 subject to any laws, regulations, or registration requirements except as  
10 provided under Arkansas law if the personal firearm, firearm accessory, or  
11 ammunition is manufactured commercially or privately in Arkansas and remains  
12 within the borders of Arkansas, as those items have not traveled in  
13 interstate commerce.

14        (b) The General Assembly shall implement this section by law,  
15 including without limitation:

16            (1) Defining as necessary certain terms used in this section;

17 and

18            (2) Providing for exceptions to this section as deemed necessary  
19 by the General Assembly.

20  
21        § 29. Unlawful enforcement of laws, rules, regulations, or orders.

22        (a) A law, rule, regulation, or order created or effective on or  
23 after the effective date of this section by an authority other than the  
24 General Assembly or a lawfully authorized state agency or political  
25 subdivision shall be unenforceable within the borders of Arkansas if the law,  
26 rule, regulation, or order attempts to:

27            (1) Prohibit or restrict ownership of a semiautomatic firearm or  
28 any magazine of a firearm; or

29            (2) Require any firearm, magazine, or other firearm accessory to  
30 be registered in any manner.

31        (b) No public servant of the State of Arkansas shall knowingly enforce  
32 or attempt to enforce any law, rule, regulation, or order created or  
33 effective on or after the effective date of this section relating to a  
34 personal firearm, firearm accessory, or ammunition that was enacted by an  
35 authority other than the General Assembly or a lawfully authorized state  
36 agency or political subdivision so long as that personal firearm, firearm

1 accessory, or ammunition is within the borders of Arkansas.

2 (c) The General Assembly shall implement this section by law,  
3 including without limitation:

4 (1) Defining as necessary certain terms used in this section;  
5 and

6 (2) Providing by law for criminal penalties for persons who  
7 violate subsection (b) of this section.

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9 § 30. Defense of an Arkansas resident in firearm cases.

10 (a) The General Assembly shall provide by law for the defense of a  
11 resident of Arkansas who, after the effective date of this section, is  
12 prosecuted for the violation of a law, rule, regulation, or order enacted by  
13 an authority other than the General Assembly or a lawfully authorized state  
14 agency or political subdivision relating to the manufacture, sale, transfer,  
15 or possession of a personal firearm, a firearm accessory, or ammunition owned  
16 or manufactured in violation of Article 19, §§ 28 and 29.

17 (b) The General Assembly shall implement this section by law,  
18 including without limitation defining as necessary certain terms used in this  
19 section.

20  
21 SECTION 3. Article 11, Section 1 of the Arkansas Constitution is  
22 amended to read as follows:

23 § 1. Persons liable to military duty.

24 (a) The militia shall consist of all ~~able-bodied male persons,~~  
25 ~~residents~~ citizens of the State, ~~between the ages of eighteen and forty-five~~  
26 ~~years~~ who have reached the age of majority under Arkansas law; except such as  
27 may be exempted by the laws of ~~the United States,~~ or this State; and shall be  
28 organized, officered, armed and equipped and trained in such manner as may be  
29 provided by law.

30 (b) In order to ensure ready and well-equipped forces, a member of the  
31 militia under this section may purchase with his or her own resources,  
32 maintain, and store at his or her place of residence or other premises under  
33 his or her control, such semiautomatic rifles, pistols, shotguns, ammunition,  
34 and accessories as considered necessary by the member for the performance of  
35 his or her duties.

36 (c) This section does not permit:

