

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 357

5 By: Senator B. Ballinger
6 By: Representatives Boyd, Crawford
7

For An Act To Be Entitled

9 AN ACT REPEALING A STATUTE PROHIBITING THE POSSESSION
10 OF A FIREARM IN CERTAIN LOCATIONS; MAKING TECHNICAL
11 CORRECTIONS; AND FOR OTHER PURPOSES.
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Subtitle

15 REPEALING A STATUTE PROHIBITING THE
16 POSSESSION OF A FIREARM IN CERTAIN
17 LOCATIONS; AND MAKING TECHNICAL
18 CORRECTIONS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 5-73-127 is repealed.

24 ~~5-73-127. Possession of loaded center fire weapons in certain areas.~~

25 ~~(a) It is unlawful to possess a loaded center fire weapon, other than~~
26 ~~a shotgun and other than in a residence or business of the owner, in the~~
27 ~~following areas:~~

28 ~~(1) Baxter County;~~

29 ~~(A) That part bounded on the south by Highway 178, on the~~
30 ~~west and north by Bull Shoals Lake, and on the east by the Central Electric~~
31 ~~Power Corporation transmission line from Howard Creek to Highway 178;~~

32 ~~(B) That part of Bidwell Point lying south of the east-~~
33 ~~west road which crosses Highway 101 at the Presbyterian Church;~~

34 ~~(C) That part of Bidwell Point lying west of Bennett's~~
35 ~~Bayou and north of the east west road which crosses Highway 101 at the~~
36 ~~Presbyterian Church;~~



~~(D) That part of Baxter County between:~~

~~(i) County Road 139 and Lake Norfolk to the north and west;~~

~~(ii) County Road 151 and Lake Norfolk to the north, west, and south in the Diamond Bay area;~~

~~(iii) The Bluff Road and Lake Norfolk to the west;~~

~~(iv) John Lewis Road (Timber Lake Manor) and Lake Norfolk to the west and south;~~

~~(v) The south end of County Road 91 south of its intersection with John Lewis Road and Lake Norfolk to the south and east; and~~

~~(vi) County Road 150 from its intersection with County Road 93 south and Lake Norfolk to the south and east but not east of County Road 93;~~

~~(2) Benton County:~~

~~(A) That part of the Hobbs Estate north of State Highway 12, west of Rambo Road, and south and east of Van Hollow Creek and the Van Hollow Creek arm of Beaver Lake;~~

~~(B) All of Bella Vista Village; and~~

~~(C) That part bounded on the north by Beaver Lake, on the east by Beaver Lake, on the south by the Hobbs State Management Area boundary from the intersection of State Highway 12 eastward along the boundary to its intersection with the Van Hollow Creek arm of Beaver Lake;~~

~~(3) Benton and Carroll Counties: That part bounded on the north by Highway 62, on the east by Highway 187 and Henry Hollow Creek, and the south and west by Beaver Lake and the road from Beaver Dam north to Highway 62;~~

~~(4) Conway County: That part lying above the rimrock of Petit Jean Mountain;~~

~~(5) Garland County: All of Hot Springs Village and Diamondhead;~~

~~(6) Marion County:~~

~~(A) That part known as Bull Shoals Peninsula, bounded on the east and north by White River and Lake Bull Shoals, on the west by the Jimmie Creek arm of Lake Bull Shoals, and on the south by the municipal boundaries of the City of Bull Shoals;~~

~~(B) That part of Marion County bounded on the north, west, and south by Bull Shoals Lake and on the east by County Roads 355 and 322~~

1 from their intersections with State Highway 202 to the points where they
2 respectively dead end at arms of Bull Shoals Lake;

3 (C) ~~The Yocum Bend Peninsula of Bull Shoals Lake bounded~~
4 ~~on the north and east by Bull Shoals Lake, on the west by Pine Mountain and~~
5 ~~Bull Shoals Lake, and on the south by County Road 30; and~~

6 (D) ~~Those lands situated in Marion County known as the~~
7 ~~Frost Point Peninsula, not inundated by the waters of Bull Shoals Lake, being~~
8 ~~more particularly described as follows:~~

9 (i) ~~Section Six, Township Twenty North, Range~~
10 ~~Fifteen West, (Sec. 6 T.20 N. R.15 W.), lying south of the White River~~
11 ~~channel;~~

12 (ii) ~~Section One, Township Twenty North, Range~~
13 ~~Sixteen West, (Sec. 1 T.20 N. R.16 W.); and~~

14 (iii) ~~East Half of Section Two, Township Twenty~~
15 ~~North, Range Sixteen West, (E 1/2 Sec. 2 T.20 N. R.16 W.); North Half of~~
16 ~~the Northeast Quarter of Section Eleven, Township Twenty North, Range Sixteen~~
17 ~~West (N 1/2 NE 1/4 Sec. 11 T.20 N. R.16 W.); and~~

18 (7) ~~A platted subdivision located in an unincorporated area.~~

19 (b) ~~Nothing contained in this section shall be construed to limit or~~
20 ~~restrict or to make unlawful the discharge of a firearm in defense of a~~
21 ~~person or property within the areas described in this section.~~

22 (c) ~~A person who is found guilty or who pleads guilty or nolo~~
23 ~~contendere to violating this section is guilty of a violation and shall be~~
24 ~~fined no less than twenty five dollars (\$25.00) nor more than five hundred~~
25 ~~dollars (\$500).~~

26 (d) ~~This section does not apply to a:~~

27 (1) ~~Law enforcement officer in the performance of his or her~~
28 ~~duties;~~

29 (2) ~~Discharge of a center fire weapon at a firing range~~
30 ~~maintained for the discharging of a center fire weapon; or~~

31 (3) ~~Person possessing a valid concealed handgun license under §~~
32 ~~5-73-301 et seq.~~

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34 SECTION 2. Arkansas Code § 5-73-130(c), concerning definitions used in
35 regard to seizure and forfeiture of a firearm, is amended to read as follows:

36 (c) As used in this section, “unlawfully in possession of a firearm”

1 does not include any act of possession of a firearm that is prohibited only
2 by+

3 ~~(1) Section 5-73-127, unlawful to possess loaded center fire~~
4 ~~weapons in certain areas; or~~

5 ~~(2) A~~ a regulation or rule of the Arkansas State Game and Fish
6 Commission.

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