

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: S3/30/23

A Bill

SENATE BILL 405

5 By: Senators K. Hammer, Irvin
6 By: Representative Dalby
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE CLASSIFICATION OF THE OFFENSE OF
10 POSSESSION OF A HANDGUN BY A MINOR; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

15 TO AMEND THE CLASSIFICATION OF THE
16 OFFENSE OF POSSESSION OF A HANDGUN BY A
17 MINOR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 5-73-119(a), concerning the offense of
23 possession of a handgun by a minor, is amended to read as follows:

24 (a)(1) *No person in this state under eighteen (18) years of age shall*
25 *possess a handgun.*

26 (2)(A) *A violation of subdivision (a)(1) of this section is a*
27 *Class A misdemeanor.*

28 (B) *A violation of subdivision (a)(1) of this section is a*
29 *Class D felony if the person ~~has previously:~~*

30 (i) ~~Been~~ Has previously been *adjudicated delinquent*
31 *for a violation of subdivision (a)(1) of this section;*

32 (ii) ~~Been~~ Has previously been *adjudicated delinquent*
33 *for any offense that would be a felony if committed by an adult; ~~or~~*

34 (iii) ~~Pleaded~~ Has previously pleaded *guilty or nolo*
35 *contendere to or been found guilty of a felony in circuit court while under*
36 *eighteen (18) years of age;*



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(iv) Possesses more than one (1) handgun;
(v) Possesses a handgun while engaging in any

criminal activity; or

(vi) Possesses a handgun on or within one thousand
feet (1,000') of the real property of a certified drug-free zone as defined
in § 5-64-402.

/s/K. Hammer