

## 2015 Legislative Session Concealed Handgun Carry License (CHCL) changes

This summary **only** deals with changes that were made in the 2015 Regular Session of the Arkansas General Assembly and that specifically relate to the Arkansas Concealed Handgun Carry License (CHCL) law as contained in ACA §5-73-301 et seq.

This summary does not include changes to any other Arkansas Code section(s).

**Effective date:** The effective date of these laws is July 22, 2015.

Any Act of the 2015 Regular Session can be viewed at:

<http://www.arkleg.state.ar.us/assembly/2015/2015R/Pages/Home.aspx>

When the Code Revision Commission integrates the latest law changes into the current Arkansas Code, we will post the latest version of the CHCL laws on the ASP website. Please periodically check our website for the update that indicates a 2015 revision date.

<http://asp.arkansas.gov/services-and-programs/detail/concealed-handgun-licensing>

### Act 105 of 2015

► Creates a limited exception to the requirement that a person must be 21 years of age at the time of application for a CHCL. Allows the applicant to be at least 18 years of age if they are:

1. Currently a federally recognized commissioned or noncommissioned officer or an enlisted member on active duty in the United States Armed Forces; OR
2. In the National Guard or reserve component of the United States Armed Forces; OR
3. A former member of the United States Armed Forces that has been honorably discharged.

This law change does not waive any other requirement; it only allows these three categories of persons to apply for a CHCL when they are over 18 but under 21 years of age.

To take advantage of this age waiver, the person would need to mail in their application (and other necessary forms) along with documentation that 1, 2 or

3 above applies, such as a copy of their active duty order or copy of their DD-214 showing honorable discharge. The age waiver is not available for on-line applicants at this time.

### **Act 649 of 2015**

- ▶ Allows a person who is a “permanent legal resident” of the United States to apply for an Arkansas CHCL. Previously an applicant was required to be a US citizen. Proof that an applicant is a permanent legal resident is established by providing a copy of their Permanent Legal Resident card with their CHCL application (or mail in a copy of the card if they are an on-line applicant).
- ▶ Removes the Arkansas residence requirement exception for retired, city, county, state or federal law enforcement who apply under ACA §5-73-301 et seq (Arkansas Concealed Handgun Carry law).

### **Act 933 of 2015**

- ▶ Creates the opportunity for an exception to ACA §5-73-306 (14) “Prohibited Places” . Allows the governing board or director of a prekindergarten and kindergarten through grade twelve (12) of a **private** school to set forth the rules and circumstances under which a person with a CHCL may carry into the private school’s building or event.

The law does not state how the private school is to notify the public or licensees of their rules or circumstances.

### **Act 1078 of 2015**

- ▶ SECTIONS 1 and 2 of the ACT – Creates certain exceptions from criminal offenses for persons holding a concealed handgun carry license, but do not modify ACA §5-73-301 et seq.
- ▶ SECTION 3 of the ACT - Adds a definition of “Parking Lot” to ACA §5-73-301 (concealed carry definitions section) to mean an area, structure or part of a structure designated for the parking of motor vehicles or designated drop off zone for children at school.
- ▶ SECTION 4 of the ACT - Creates an exception in ACA §5-73-306 (3) “Prohibited Places” concerning Arkansas State Highway and Transportation Department (ASH&TD) property. Previously, a licensee could not carry a concealed handgun onto grounds adjacent to any building of the ASH&TD

(except rest areas or weigh stations); but this act creates an exclusion from prohibited places for not only rest areas and weigh stations, but also “*a publicly owned and maintained parking lot that is a publicly accessible parking lot if the licensee is carrying a concealed handgun in his or her motor vehicle or has left the concealed handgun in his or her locked and unattended motor vehicle in the publicly owned and maintained parking lot.*”

► SECTION 5 of this ACT - Clarifies ACA §5-73-306 (14) “Prohibited Places” concerning a “*school, community college or university campus building or event*”. The Act clarified that this prohibited place **does not include** a publicly owned and maintained parking lot of a college, community college or university when the handgun is left in the locked unattended vehicle.

► SECTION 6 of this ACT - Creates an exemption from the posted “Prohibited Places” sign under ACA §5-73-306(19)(A). The posting of a “prohibited places” sign does not apply to “*publicly owned and maintained parking lots if the licensee is carrying a concealed handgun in his or her motor vehicle or has left the concealed handgun in his or her locked and unattended motor vehicle.*”

► SECTION 7 of this ACT - Clarifies the boundaries of ACA §5-73-306 (4) “Prohibited Places” of “*Any part of a detention facility, prison, or jail*” to include its parking lot, owned, maintained or otherwise controlled by the Department of Correction or Department of Community Correction.

### **Act 1175 of 2015**

► Deletes “Any polling place” from the list of prohibited places in ACA §5-73-306 (7).

**NOTE:** Some areas may still be a “prohibited place” if the proper signage as outlined in ACA §5-73-306(19) is posted.

### **Act 1259 of 2015**

► Expands the boundaries of prohibited place under ACA §5-73-306 “(5) *Any courthouse*” to include a courthouse annex or other building owned, leased or regularly used by a county for conducting court proceedings or housing a county office. This specific prohibited place restriction does not apply to:

1. a licensee that is employed by the county or is a countywide elected official;

**AND**

2. The licensee's principal place of employment is within the courthouse, courthouse annex or other building owned, leased, or regularly used by a county for conducting court proceedings or housing a county office;

**AND**

3. The quorum court by ordinance approved a plan that allows licensees who meet the requirements of 1 and 2 above, to carry a concealed handgun into the courthouse as set out by the local security and emergency preparedness plan.

**NOTE: All three (3) of the above things must be present for this specific exception to prohibited places to apply.**