

1 State of Arkansas
2 90th General Assembly
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4

As Engrossed: H2/24/15

A Bill

HOUSE BILL 1077

5 By: Representatives Collins, Ballinger, Bentley, Brown, Dotson, C. Douglas, Drown, C. Fite, Gates,
6 Gonzales, M. Gray, Harris, Henderson, House, Lemons, Lowery, Payton, Petty, Pitsch, Richmond,
7 Rushing, B. Smith, Sullivan, Tosh, Wallace, Wardlaw, Womack
8 By: Senators Hester, Collins-Smith
9

For An Act To Be Entitled

10 AN ACT CONCERNING THE POSSESSION OF A CONCEALED
11 HANDGUN IN A UNIVERSITY, COLLEGE, OR COMMUNITY
12 COLLEGE BUILDING; AND FOR OTHER PURPOSES.
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Subtitle

16 CONCERNING THE POSSESSION OF A CONCEALED
17 HANDGUN IN A UNIVERSITY, COLLEGE, OR
18 COMMUNITY COLLEGE BUILDING.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 *SECTION 1. Arkansas Code § 5-73-322 is amended to read as follows:*

25 *5-73-322. Concealed handguns in a university, college, or community*
26 *college building.*

27 *(a) As used in this section:*

28 *(1) "Hospital" means the facilities of an institution licensed,*
29 *certified, or approved by the Division of Health Facilities Services of the*
30 *Department of Health as a hospital which is primarily engaged in providing to*
31 *patients diagnostic and therapeutic services for medical diagnosis,*
32 *treatment, and care of injured, disabled, or sick persons, by or under the*
33 *supervision of a physician or other medical professional;*

34 *~~(1)(A)~~(2)(A) "Public university, public college, or community*
35 *college" means an institution that:*

36 *(i) Regularly receives budgetary support from the*



1 state government;

2 (ii) Is part of the University of Arkansas or
3 Arkansas State University systems; or

4 (iii) Is required to report to the Arkansas Higher
5 Education Coordinating Board.

6 (B) "Public university, public college, or community
7 college" does not include a private university or private college solely
8 because:

9 (i) Students attending the private university or
10 private college receive state-supported scholarships; or

11 (ii) The private university or private college
12 voluntarily reports to the Arkansas Higher Education Coordinating Board; and

13 ~~(2)(3)(A)~~ "Staff member" means a person who is not enrolled as a
14 full-time student at the university, college, or community college and is
15 either employed by the university, college, or community college;

16 (1) full Full time; or is on

17 (2) On a nine-month or twelve-month appointment at
18 the university, college, or community college as a faculty member; or

19 (3) As a part-time faculty member at the university,
20 college, or community college.

21 (B) "Staff member" does not include a graduate assistant.

22 (b) A licensee may possess a concealed handgun in the buildings and on
23 the grounds, whether owned or leased by the public university, public
24 college, or public community college, of the public university, public
25 college, or public community college where he or she is employed unless
26 otherwise prohibited by this section or § 5-73-306 if+ he or she is a staff
27 member.

28 ~~(1) He or she is a staff member; and~~

29 ~~(2)(A) The governing board of the public university, public~~
30 ~~college, or public community college does not adopt a policy expressly~~
31 ~~disallowing the carrying of a concealed handgun by staff members in the~~
32 ~~buildings or on the grounds of the public university, public college, or~~
33 ~~public community college and posts notices as described in § 5-73-306(19).~~

34 ~~(B) A governing board of the public university, public~~
35 ~~college, or public community college may adopt differing policies for the~~
36 ~~carrying of a concealed handgun by staff members for different campuses,~~

1 ~~areas of a campus, or individual buildings of the public university, public~~
2 ~~college, or public community college for which the governing board is~~
3 ~~responsible.~~

4 ~~(C) A policy disallowing the carrying of a concealed~~
5 ~~handgun by staff members into the public university, public college, or~~
6 ~~public community college expires one (1) year after the date of adoption and~~
7 ~~must be readopted each year by the governing board of the public university,~~
8 ~~public college, or public community college to remain in effect.~~

9 (c) A licensee may possess a concealed handgun in the buildings and on
10 the grounds of the private university or private college where he or she is
11 employed unless otherwise prohibited by this section or § 5-73-306 if:

12 (1) He or she is a staff member; and

13 (2) The private university or private college does not adopt a
14 policy expressly disallowing the carrying of a concealed handgun in the
15 buildings and on the grounds of the private university or private college and
16 posts does not post notices as described in § 5-73-306(19).

17 (d) The storage of a handgun in a university or college-operated
18 student dormitory or residence hall is prohibited under § 5-73-119(c).

19 (e)(1) The governing board of a public university, public college, or
20 public community college that operates a public medical school may adopt a
21 policy expressly disallowing the carrying of a concealed handgun by a staff
22 member in the buildings or on the grounds of the public medical school that
23 are adjacent to or are up to within a radius of one-half (1/2) of a mile of
24 an associated public hospital.

25 (2) This subsection does not limit the governing board of a
26 public university, public college, or public community college from tailoring
27 its policy to permit the carrying of a concealed handgun into certain public
28 hospital or public medical school facilities within the one-half-mile radius.

29 (3) A policy adopted under this subsection is invalid until
30 public notices as described under § 5-73-306(19) are posted in and around the
31 parts of the public medical school and associated public hospital that are
32 subject to the policy.

33 (f)(1) The governing board of a public university, public college, or
34 public community college may adopt a policy expressly disallowing the
35 carrying of a concealed handgun by a staff member in the buildings or on the
36 grounds of the public university, public college, or public community college

1 which are adjacent to or are up to within a radius of one-half (1/2) of a
2 mile of a federally owned and operated presidential library.

3 (2) This subsection does not limit the governing board of a
4 public university, public college, or public community college from tailoring
5 its policy to permit the carrying of a concealed handgun into certain
6 facilities where carrying a concealed handgun is not otherwise prohibited by
7 federal law within the one-half-mile radius.

8 (3) A policy adopted under this subsection is invalid until
9 public notices as described under § 5-73-306(19) are posted in and around the
10 parts of the public university, public college, or public community college
11 that are adjacent to or up to within a radius of one-half (1/2) of a mile of
12 a federally owned and operated presidential library that are subject to the
13 policy.

14 (g) A policy disallowing the carrying of a concealed handgun under
15 subsection (e) or subsection (f) of this section expires one (1) year after
16 the date of adoption and shall be readopted each year by the governing board
17 to remain in effect.

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19 /s/Collins
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