

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

...State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1039

By: Representative Davis  
By: Senator J. Hutchinson

## For An Act To Be Entitled

AN ACT CONCERNING POSSESSION OF A DEFACED FIREARM  
MANUFACTURED PRIOR TO JANUARY 1, 1968; AND FOR OTHER  
PURPOSES.

## Subtitle

CONCERNING POSSESSION OF A DEFACED  
FIREARM MANUFACTURED PRIOR TO JANUARY 1,  
1968.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-73-107 is amended to read as follows:  
5-73-107. Possession of a defaced firearm.

(a) A person commits the offense of possession of a defaced firearm if he or she knowingly possesses a firearm with a manufacturer's serial number or other identification mark required by law that has been removed, defaced, marred, altered, or destroyed.

(b) It is a defense to a prosecution under this section that:

(1) the The person reported the possession to the police or other governmental agency prior to arrest or the issuance of an arrest warrant or summons; or

(2) The firearm was manufactured prior to January 1, 1968.

(c)(1) Possession of a defaced firearm is a Class D felony.

(2) However, possession of a defaced firearm is a Class A misdemeanor if the manufacturer's serial number or other identification mark



1 required by law is merely covered or obstructed, but still retrievable.

2 **APPROVED: 01/31/2017**

3