

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4  
5 By: Senator T. Garner

# A Bill

SENATE BILL 467

## For An Act To Be Entitled

8 AN ACT PERMITTING AN EMERGENCY MEDICAL TECHNICIAN TO  
9 POSSESS AND CARRY A CONCEALED HANDGUN WITHOUT A  
10 LICENSE TO CARRY A CONCEALED HANDGUN; AND FOR OTHER  
11 PURPOSES.

### Subtitle

12 PERMITTING AN EMERGENCY MEDICAL  
13 TECHNICIAN TO POSSESS AND CARRY A  
14 CONCEALED HANDGUN WITHOUT A LICENSE TO  
15 CARRY A CONCEALED HANDGUN.

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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 § 12-15-202 is amended to read as follows:  
24 12-15-202. Eligibility to carry concealed handgun.

25 (a) ~~Any~~ A certified law enforcement officer, auxiliary law enforcement  
26 officer, employee of a local detention facility, prosecuting attorney, ~~or~~  
27 deputy prosecuting attorney ~~designated by the prosecuting attorney, or~~  
28 emergency medical technician may carry a concealed handgun at any time if the  
29 certified law enforcement officer, auxiliary law enforcement officer,  
30 employee of a local detention facility, prosecuting attorney, ~~or~~ deputy  
31 prosecuting attorney ~~designated by the prosecuting attorney, or~~ emergency  
32 medical technician:

33 (1) Is presently ~~in the employ of a:~~

34 (A) Employed by a public law enforcement department, law  
35 enforcement office, ~~or~~ law enforcement agency, local detention facility, or  
36 prosecuting attorney;



1                    (B) Holding the office of prosecuting attorney; or

2                    (C) Working as an emergency medical technician;

3                    ~~(2) Is authorized by the public law enforcement department,~~  
4 ~~office, or agency to carry a firearm in the course and scope of his or her~~  
5 ~~duties;~~

6                    ~~(3)~~(2) Is not subject to any disciplinary action that suspends  
7 his or her authority as a certified law enforcement officer, auxiliary law  
8 enforcement officer, employee of a local detention facility, prosecuting  
9 attorney, ~~or~~ deputy prosecuting attorney ~~designated by the prosecuting~~  
10 ~~attorney, or emergency medical technician;~~

11                    ~~(4)~~(3) Is carrying a badge ~~and~~ or appropriate written  
12 photographic identification issued by the public law enforcement department,  
13 law enforcement office, ~~or~~ law enforcement agency, local detention facility,  
14 prosecuting attorney, or state licensing agency identifying him or her as a  
15 certified law enforcement officer, auxiliary law enforcement officer,  
16 employee of a local detention facility, prosecuting attorney, ~~or~~ deputy  
17 prosecuting attorney ~~designated by the prosecuting attorney, or emergency~~  
18 medical technician;

19                    ~~(5)~~(4) Is not otherwise prohibited under federal law;

20                    ~~(6)~~(5) Is not under the influence of alcohol or another  
21 intoxicating or hallucinatory drug or substance; and

22                    ~~(7)~~(6) Has fingerprint impressions on file with the Division of  
23 Arkansas State Police ~~Automated Fingerprint Identification System~~ automated  
24 fingerprint identification system.

25                    (b)(1) A concealed handgun may be carried by any retired law  
26 enforcement officer or retired auxiliary law enforcement officer acting as a  
27 retired auxiliary law enforcement officer who:

28                    (A) Retired in good standing from service with a public  
29 law enforcement department, office, or agency for reasons other than mental  
30 disability;

31                    (B) Immediately before retirement was a certified law  
32 enforcement officer authorized by a public law enforcement department,  
33 office, or agency to carry a firearm in the course and scope of his or her  
34 duties;

35                    (C) Is carrying appropriate written photographic  
36 identification issued by a public law enforcement department, office, or

1 agency identifying him or her as a retired and former certified law  
2 enforcement officer;

3 (D) Is not otherwise prohibited under federal law from  
4 receiving or possessing a firearm;

5 (E) Has fingerprint impressions on file with the system  
6 together with written authorization for state and national level criminal  
7 history record screening;

8 (F) During the most recent twelve-month period has met, at  
9 the expense of the retired law enforcement officer, the standards of this  
10 state for training and qualification for active law enforcement officers to  
11 carry firearms;

12 (G) Before his or her retirement, worked or was employed  
13 as a law enforcement officer or acted as an auxiliary law enforcement officer  
14 for an aggregate of ten (10) years or more; and

15 (H) Is not under the influence of or consuming alcohol or  
16 another intoxicating or hallucinatory drug or substance.

17 (2)(A) The chief law enforcement officer of the city or county  
18 shall keep a record of all retired law enforcement officers authorized to  
19 carry a concealed handgun in his or her jurisdiction and shall revoke any  
20 authorization for good cause shown.

21 (B) The Director of the Division of Arkansas State Police  
22 shall keep a record of all retired Department of Arkansas State Police or  
23 Division of Arkansas State Police officers authorized to carry a concealed  
24 handgun in the state and shall revoke any authorization for good cause shown.

25 (c)(1)(A) A firearms instructor certified by the Arkansas Commission  
26 on Law Enforcement Standards and Training who is employed by any law  
27 enforcement agency in this state may certify or recertify that a retired law  
28 enforcement officer has met the training and qualification requirements for  
29 certification set by the commission for active law enforcement officers to  
30 carry firearms.

31 (B) A retired law enforcement officer shall pay the  
32 expenses for meeting the training and qualification requirements described in  
33 subdivision (c)(1)(A) of this section.

34 (2) A firearms instructor who certifies or recertifies that a  
35 retired law enforcement officer has met the training and qualification  
36 requirements for certification set by the commission for active law

1 enforcement officers to carry firearms under subdivision (c)(1)(A) of this  
2 section shall complete and submit any required paperwork to the commission.

3 (d) ~~Any certified law enforcement officer~~ A certified or retired law  
4 enforcement officer, active or retired auxiliary law enforcement officer,  
5 active or retired prosecuting attorney, active or retired deputy prosecuting  
6 attorney, or emergency medical technician carrying a concealed handgun under  
7 this section is not subject to the prohibitions and limitations of § 5-73-  
8 306.

9 (e)(1) Any presently employed certified law enforcement officer  
10 authorized by another state to carry a concealed handgun shall be entitled to  
11 the same privilege while in this state, but subject to the same restrictions  
12 of this section, provided that the state which has authorized the officer to  
13 carry a concealed handgun extends the same privilege to presently employed  
14 Arkansas-certified law enforcement officers.

15 (2) The director shall make a determination as to which states  
16 extend the privilege to carry a concealed handgun to presently employed  
17 Arkansas-certified law enforcement officers and shall then determine which  
18 states' officers' authority to carry concealed handguns will be recognized in  
19 Arkansas.

20 (f) An emergency medical technician may only carry a concealed handgun  
21 under this section if during the most recent twelve-month period he or she  
22 has met at his or her expense the standards of this state for training and  
23 qualification for active law enforcement officers to carry firearms.

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25 SECTION 2. Arkansas Code Title 16, Chapter 120, Subchapter 8, is  
26 amended to add an additional section to read as follows:

27 16-120-804. Possession of concealed handgun by emergency medical  
28 technician.

29 (a) A business entity, owner or legal possessor of property, or  
30 private employer is not liable in a civil action for damages, injuries, or  
31 death resulting from or arising out of an employee's actions involving a  
32 handgun lawfully possessed by an emergency medical technician under § 12-15-  
33 202, when the employee is the emergency medical technician, including without  
34 limitation the theft of a handgun from an employee's private motor vehicle,  
35 unless the business entity, owner or legal possessor of property, or private  
36 employer intentionally solicited or procured the other person's actions.

1           (b) A concealed handgun lawfully possessed by an emergency medical  
2 technician does not solely constitute a failure on the part of a private  
3 employer to provide a safe workplace.

4           (c) A private employer may terminate an emergency medical technician  
5 for flagrantly or unreasonably displaying a handgun in plain sight of others  
6 at the private employer's place of business or in plain sight in an  
7 employee's motor vehicle.

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