

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S3/15/21

A Bill

SENATE BILL 467

5 By: Senator T. Garner
6

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.
12
13

Subtitle

14 PERMITTING AN EMERGENCY MEDICAL
15 TECHNICIAN TO POSSESS AND CARRY A
16 CONCEALED HANDGUN WITHOUT A LICENSE TO
17 CARRY A CONCEALED HANDGUN.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

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.

24
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.

