

JON WOODS

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**THE SENATE
STATE OF ARKANSAS**

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June 10, 2015

The Honorable Leslie Rutledge
Attorney General - State of Arkansas
ATTN: Opinions Department
323 Center Street, Suite 200
Little Rock, Arkansas 72201

Dear Attorney General Rutledge:

We are writing to request an Attorney General's opinion based on the following:

BACKGROUND

This matter is in regards to Act 746 of 2013. Under Act 746 of 2013, Arkansans are allowed to carry a handgun without a concealed carry license or other weapon if the person is on a journey. See Ark. Code Ann. §5-73-119(e)(7), §5-73-120(b)(3), and §5-73-120 (c)(4). After Act 746, "journey" is defined as "[travel] beyond the county in which the person lives."

QUESTIONS

1. Is it your opinion that Act 746 of 2013 permits a person to carry a handgun or other weapon, in plain view or concealed, without a concealed handgun license if he or she leaves his or her county so long as he or she is not otherwise prohibited by state or federal law?
2. Further, does Act 746 of 2013 permit a person not on a journey to openly or concealed carry a handgun or other weapon in public without violating the criminal offense of carrying a weapon, §5-73-120, so long as he or she has no "purpose to attempt to unlawfully employ the ... weapon against a person"? See Ark. Code Ann. §5-73-120(a).
3. Specifically, please verify that if a person who carries a handgun or other weapon in public, open or concealed, who is simply minding his or her own business, would not be violating the criminal offense of carrying a weapon if he or she has not demonstrated a "purpose to attempt to unlawfully employ" the handgun or other weapon against another person.

Thank you in advance for your attention to this request.

Sincerely,

Handwritten signature of Jon Woods in blue ink.

Jon Woods
State Senator
District 7

Handwritten signature of Nate Bell in blue ink.

Nate Bell
State Representative
District 20

Handwritten signature of Tim Lemons in blue ink.

Tim Lemons
State Representative
District 43