

SENATE CS FOR CS FOR HOUSE BILL NO. 61(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 5/15/23

Referred: Rules

Sponsor(s): REPRESENTATIVES TILTON, McCabe, Vance, C. Johnson, Carpenter, Prax, Wright, Rauscher, McKay, Cronk, Ruffridge, Saddler, Shaw, Tomaszewski, Sumner, Allard, Coulombe, Foster, D Johnson, Stapp

SENATORS Bjorkman, Myers, Kawasaki, Hughes, Kaufman, Wilson, Merrick

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to restrictions on firearms and other weapons."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 LEGISLATIVE INTENT. It is the intent of the legislature that this Act does not affect
6 the ability of the state or a municipality to exercise its duties under AS 29.35.145.

7 * **Sec. 2.** AS 44.99 is amended by adding new sections to article 5 to read:

8 **Sec. 44.99.510. Infringements on the right to keep and bear arms; disaster.**

9 (a) During a disaster emergency declared under AS 26.23.020, the governor, a state
10 agency, or a municipality may not issue or adopt an order, proclamation, regulation,
11 ordinance, or policy

12 (1) forbidding the possession, use, or transfer of a firearm, a firearm
13 part, a firearm accessory, ammunition, or other weapon for personal use;

14 (2) ordering the seizure or confiscation of a firearm, a firearm part, a
15 firearm accessory, ammunition, or other weapon for personal use;

1 (3) limiting the quantity or placing other restrictions on the sale or
 2 service of firearms, firearm parts, firearm accessories, ammunition, or other weapons
 3 for personal use;

4 (4) unless a closure or limitation applies equally to all forms of
 5 commerce, other than grocery stores, pharmacies, medical facilities, and businesses
 6 that provide housing, including rental accommodations, hotels, and motels, within the
 7 jurisdiction, closing or limiting the operating hours of

8 (A) an entity engaged in the sale or service of firearms, firearm
 9 parts, firearm accessories, ammunition, or other weapons for personal use; or

10 (B) an indoor or outdoor shooting range;

11 (5) suspending or revoking a permit to carry a concealed handgun
 12 issued under AS 18.65.700, except as provided in AS 18.65.735 and 18.65.740; or

13 (6) refusing to accept an application to carry a concealed handgun,
 14 provided the application contains the information required under AS 18.65.710.

15 (b) This section does not apply to the possession of a firearm, a firearm part, a
 16 firearm accessory, ammunition, or other weapon by a person who is prohibited from
 17 legally possessing a firearm, a firearm part, a firearm accessory, ammunition, or other
 18 weapon under state law.

19 (c) A person may bring a civil action in superior court if the person is
 20 adversely affected by a violation of (a) of this section and the person is

21 (1) qualified under state law to possess a firearm, a firearm part, a
 22 firearm accessory, ammunition, or other weapon; or

23 (2) a membership organization consisting of two or more individuals
 24 eligible under (1) of this subsection that is dedicated in whole or in part to the
 25 protection of the rights of persons who possess or use firearms or other weapons.

26 **Sec. 44.99.520. Definitions.** In AS 44.99.500 - 44.99.520,

27 (1) "firearm" has the meaning given in AS 11.81.900(b);

28 (2) "firearm accessory" means an item that is used in conjunction with
 29 or mounted on a firearm but is not essential to the basic function of a firearm,
 30 including a telescopic or laser sight, magazine, flash or sound suppressor, folding or
 31 aftermarket stock and grip, speedloader, ammunition carrier, and light for target

1 illumination;

2 (3) "firearm part" means a component of a firearm that is essential to
3 the basic function of a firearm, including a component of an action or lock, the stock,
4 and the barrel.

5 * **Sec. 3.** AS 44.99.500(g)(1) is repealed.