AN ACT

Relating to confiscation of firearms during disaster emergencies.

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

THE ACT Follows on PAGE 1
AN ACT

Relating to confiscation of firearms during disaster emergencies.

Section 1. AS 26.23.200 is amended by adding a new paragraph to read:

(5) authorizes the confiscation of a firearm lawfully owned, possessed, or carried by a law-abiding citizen.

Sec. 2. AS 26.23 is amended by adding a new section to read:

Sec. 26.23.205. Confiscation of firearms. (a) A person convicted of official misconduct under AS 11.56.850, or interference with constitutional rights under AS 11.76.110, as a result of confiscating, attempting to confiscate, or ordering the confiscation of a firearm, under color of law, during a disaster emergency,

(1) forfeits any appointed government position and, if under the jurisdiction of the Alaska Police Standards Council, is subject to revocation of the person's police certification;

(2) is subject to impeachment under art. II, sec. 20, Constitution of the State of Alaska; or
(3) is subject to having the person's elected municipal office declared
vacant under AS 29.20.170 or 29.20.280.

(b) This section does not apply if the person is acting as a private citizen who
has been directed to confiscate a firearm by another whom the person reasonably
believes to be a peace officer or active member of the armed forces or militia.

(c) A conviction described in (a) of this section is an offense involving a
violation of the oath of office for purposes of AS 29.20.170 or 29.20.280.