CS FOR SENATE BILL NO. 174(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/6/16
Referred: Rules

Sponsor(s): SENATORS KELLY, Dunleavy, McGuire, Giessel, Stoltze

REPRESENTATIVES Tilton, Keller, Lynn, Wilson, Saddler

A BILL

FOR AN ACT ENTITLED

"An Act relating to the regulation of firearms and knives by the University of Alaska; and providing for an effective date."

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

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

    FINDINGS AND INTENT. The legislature finds that the individual right to keep and bear arms is a constitutionally protected right under art. I, sec. 19, Constitution of the State of Alaska, and may not be abridged by the Board of Regents of the University of Alaska. The legislature reserves to the state the authority to regulate firearms, except as specifically provided in AS 14.40.173.

* Sec. 2. AS 14.40 is amended by adding a new section to read:

    Sec. 14.40.173. Regulation of firearms and knives. (a) The authority to regulate firearms and knives is reserved to the state, and, except as specifically provided by statute, the Board of Regents may not enact or enforce a policy regulating
the possession, ownership, use, carrying, registration, storage, or transportation of
firearms or knives.

(b) The Board of Regents may not regulate the possession, ownership, use,
carrying, registration, storage, or transportation of concealed handguns or knives,
except

(1) in a manner identical to state law;

(2) in student dormitories or other shared living quarters; or

(3) in restricted access areas under (c)(3) of this section.

(c) The Board of Regents may adopt and enforce policies

(1) regulating the carrying of openly carried firearms;

(2) restricting the discharge of firearms on any portion of university
land where there is a reasonable likelihood that people, domestic animals, or property
will be jeopardized; policies adopted or enforced under this paragraph may not abridge
the right of the individual guaranteed by art. I, sec. 19, Constitution of the State of
Alaska, to bear arms in defense of self or others; and

(3) prohibiting the possession of firearms or knives in the restricted
access areas of university buildings, which may include university-designated rooms
where sexual assault, sexual harassment, or domestic violence are investigated and
victim assistance is provided and in university-designated rooms during adjudication
of staff or student disciplinary issues and disputes; the university shall post notice of
the prohibition against possession of firearms or knives at each entrance to the
restricted access area.

(d) If the Board of Regents adopts a policy under (b)(2) of this section, the
policy must require that, if the owner of a concealed handgun

(1) is not a resident of the dormitory, the owner shall carry the
handgun at all times;

(2) is a resident of the dormitory, the owner

(A) shall store and secure the handgun in a lockbox provided
by the owner of the handgun when the owner is not carrying the handgun; the
owner is responsible for ensuring that the lockbox and the storage of the
handgun meet all requirements under state law;
(B) may not leave a handgun in a lockbox unattended in a
dormitory room for more than one day; and

(C) shall declare to the university that the owner intends to
keep a weapon in the owner's dormitory room.

(e) The university may collect and store for not more than one year
information regarding a student who intends to keep a weapon in the student's
dormitory room. The university may only use this information when making a student
housing decision for a student who has expressed that the student does not want to
share a dormitory room with a person who possesses a firearm. The university shall
make efforts to maintain the privacy of a student who intends to keep a weapon in that
student's dormitory room. The university may not segregate students who intend to
keep a weapon in a dormitory room to a separate building, floor, or area of the
university.

(f) The Board of Regents, the University of Alaska, and any officers,
employees, or agents of the University of Alaska may not

   (1) except as provided in (e) of this section, create a database or
registry of persons who possess a firearm on campus;

   (2) require written permission before a person may possess a firearm
on campus; or

   (3) adopt an implied consent policy regarding restricted possession of
concealed handguns or knives.

(g) The University of Alaska, the Board of Regents, and any officers,
employees, or agents of the University of Alaska are immune from civil liability for
any act or omission resulting from a policy or regulation adopted or enforced under
this section by the Board of Regents or the president of the University of Alaska, or a
claim arising from the possession, ownership, use, carrying, registration, or
transportation of firearms or knives by any person.

(h) In this section,

   (1) "concealed handgun" has the meaning given in AS 18.65.790;

   (2) "firearms" includes firearms or other elements relating to firearms
or parts of a firearm, including ammunition and reloading components;
(3) "lockbox" means a metal, hard-sided container designed to enclose or encase handguns with a built-in locking mechanism;

(4) "restricted access area" means the area beyond a secure point where visitors are screened and does not include common areas of ingress and egress open to the public.

* Sec. 3. This Act takes effect August 1, 2016.