

ALASKA STATE LEGISLATURE

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REPRESENTATIVE LANCE PRUITT HOUSE MAJORITY LEADER

Sponsor Statement

HB 366

An Act relating to reporting an involuntary mental health commitment to the National Instant Criminal Background Check System; and relating to relief from disabilities of a record of involuntary commitment and an adjudication of mental illness or mental incompetence.

Alaska upholds a steadfast tradition of the right to responsible firearm ownership. A fundamental component of this responsibility is the assurance that firearm retailers will have access to timely and relevant information in the National Instant Criminal Background Check System (NICS) database.

HB 366 pertains to the transmittal of information from the Alaska Court System to the NICS administrators. The database was established in 1994 to provide information to Federal Firearms Licensees (FFLs) regarding persons who are prohibited from possessing a firearm under Section 922 (g) or (n) of Title 18 USC.

Currently, the State of Alaska does not require the courts to transmit these records. This places the Federal Firearms Licensees at a greater risk of selling a firearm to an individual who may pose a risk to themselves or to the public. Alaskan FFLs submitted 93,405 transaction inquiries to the NICS database in 2013, ranking the state second highest in the number of inquiries per capita. However, the NICS database only contains a single entry regarding an individual who is prevented from firearm possession due to mental health reasons, as adjudicated by the courts.

House Bill 366 works with the courts to establish a system to transfer the limited necessary information with the NICS administrators regarding persons who are adjudicated in Alaska courts as unfit to possess a firearm due to mental health reasons. The bill also addresses the process for appealing such adjudications.

The State of Alaska leads the way in our defense of firearms rights, and the key to preserving that right is the assurance that FFLs will not be at risk of selling a firearm to an individual who is legally barred by the courts. HB 366 assures that Alaska's courts will transmit information to the NICS database, thereby protecting our FFLs, our gun rights, and the people of Alaska.