

HOUSE BILL NO. 33

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES NEUMAN, Chenault, Gruenberg

Introduced: 1/16/13

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act adding definitions of 'gravity knife' and 'switchblade' to the criminal law; and**
2 **relating to reserving the authority to regulate knives to the state with limited exceptions**
3 **for municipalities to regulate knives."**

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

5 *** Section 1.** AS 11.81.900(b) is amended by adding new paragraphs to read:

6 (65) "gravity knife" means any knife that has a blade that opens or
7 releases a blade from its handle or sheath by the force of gravity or by the application
8 of centrifugal force; "gravity knife" does not include a knife that has a spring, detent,
9 or other mechanism designed to create a bias toward closure that requires a person to
10 apply exertion to the blade by hand, wrist, or arm to overcome the bias toward closure
11 and open or release the blade;

12 (66) "switchblade" means any knife that has a blade that folds, closes,
13 or retracts into the handle or sheath that opens automatically by pressure applied to a
14 button or other device located on the handle or sheath; "switchblade" does not include

1 a knife that has a spring, detent, or other mechanism designed to create a bias toward
 2 closure that requires exertion applied to the blade by hand, wrist, or arm to overcome
 3 the bias toward closure and open the blade.

4 * Sec. 2. AS 29.10.200(40) is amended to read:

5 (40) AS 29.35.145 (regulation of firearms and knives);

6 * Sec. 3. AS 29.35.145(a) is amended to read:

7 (a) The authority to regulate firearms and knives is reserved to the state, and,
 8 except as specifically provided by statute, a municipality may not enact or enforce an
 9 ordinance regulating the possession, ownership, sale, transfer, use, carrying,
 10 transportation, licensing, taxation, or registration of firearms or knives.

11 * Sec. 4. AS 29.35.145(b) is amended to read:

12 (b) Municipalities may enact and enforce ordinances

13 (1) that are identical to state law and that have the same penalty as
 14 provided for by state law;

15 (2) restricting the discharge of firearms in any portion of their
 16 respective jurisdictions where there is a reasonable likelihood that people, domestic
 17 animals, or property will be jeopardized; ordinances enacted or enforced under this
 18 paragraph may not abridge the right of the individual guaranteed by art. 1, sec. 19,
 19 Constitution of the State of Alaska, to bear arms in defense of self or others;

20 (3) restricting the areas in their respective jurisdictions in which
 21 firearms or knives may be sold; a business selling firearms or knives may not be
 22 treated more restrictively than other businesses located within the same zone; and

23 (4) prohibiting the possession of firearms or knives in the restricted
 24 access area of municipal government buildings; the municipal assembly shall post
 25 notice of the prohibition against possession of firearms or knives at each entrance to
 26 the restricted access area.