

29-LS1306/I
Martin
3/29/16

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:
Referred:

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

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the regulation of firearms and knives by the University of Alaska."

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

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

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

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

11 **Sec. 14.40.173. Regulation of firearms and knives.** (a) The authority to
12 regulate firearms and knives is reserved to the state, and, except as specifically
13 provided by statute, the Board of Regents may not enact or enforce a policy regulating
14 the possession, ownership, use, carrying, registration, storage, or transportation of
15 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

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

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

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

14 (1) create a database or registry of persons who possess a firearm on
15 campus;

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

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

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

26 (h) In this section,

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

28 (2) "firearms" includes firearms or other elements relating to firearms
29 or parts of a firearm, including ammunition and reloading components;

30 (3) "lockbox" means a metal, hard-sided container designed to enclose
31 or encase handguns with a built-in locking mechanism;

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