

Alaska Stat. § 29.35.145

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Current through the 2015 First Regular Session and the First, Second, and Third Special Sessions of the Twenty-Ninth State Legislature.

Alaska Statutes **TITLE 29. MUNICIPAL GOVERNMENT** **CHAPTER 35. MUNICIPAL POWERS AND DUTIES** **ARTICLE 1. GENERAL POWERS**

Sec. **29.35.145**. 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, a municipality may not enact or enforce an ordinance regulating the possession, ownership, sale, transfer, use, carrying, transportation, licensing, taxation, or registration of firearms or knives.

(b) Municipalities may enact and enforce ordinances

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

(2) restricting the discharge of firearms in any portion of their respective jurisdictions where there is a reasonable likelihood that people, domestic animals, or property will be jeopardized; ordinances enacted 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;

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

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

(c) The prohibition on taxation in (a) of this section does not include imposition of a sales tax that is levied on all products sold within a municipality.

(d) This section applies to home rule and general law municipalities.

(e) In this section,

(1) "firearms" includes firearms, or any other element relating to firearms or parts thereof including ammunition and reloading components;

(2) "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 general public.

History

(§ 10 ch 74 SLA 1985; am §§ 2, 3 ch 82 SLA 2005; am §§ 5, 6 ch 54 SLA 2013)

▼ Annotations

Notes

REVISOR'S NOTES. --

Subsection (b) was enacted as subsection (c), subsection (c) was enacted as subsection (e), subsection (d) was formerly subsection (b), and subsection (e) was enacted as subsection (d). Relettered in 2005. In 2008, in paragraph (b)(3), "than" was substituted for "that" to correct a manifest error.

EFFECT OF AMENDMENTS. --

The 2005 amendment, effective October 19, 2005, rewrote subsection (a) and added subsections (c) [now (b)], (d) [now (e)], and (e) [now (c)].

The 2013 amendment, effective September 18, 2013, in (a) inserted "or knives" following "firearms" two times; in (b)(3) and (b)(4) inserted "or knives" following "firearms" four times.

Research References & Practice Aids

USER NOTE:

For more generally applicable notes, see notes under the first section of this article, chapter or title.

ALASKA STATUTES

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