

**HOUSE CS FOR SENATE BILL NO. 130(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 5/17/99

Referred: Rules

Sponsor(s): SENATORS PETE KELLY, Taylor

REPRESENTATIVE Ogan

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to immunity for sale or transfer of a firearm; relating to  
2 administrative functions performed by and fees charged by the Department of  
3 Public Safety for transfer of a firearm."

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

5 \* Section 1. AS 09.65 is amended by adding a new section to read:

6 **Sec. 09.65.260. Civil immunity related to the sale or transfer of a firearm.**

7 (a) A person may not bring a civil action for damage or harm caused by an individual  
8 for whom a federal firearm certificate was executed if the action arises from the  
9 execution of the federal firearm certificate by a public official with the authority under  
10 federal law to execute the certificate and the individual causing the damage or harm

11 (1) is the transferee of the firearm; and

12 (2) at the time the certificate is executed either

13 (A) has a permit to carry a concealed handgun issued under

14 AS 18.65.700; or

1 (B) meets the qualifications imposed under AS 18.65.705(1) -  
2 (5) for obtaining a concealed handgun permit.

3 (b) In this section, "federal firearm certificate" means the certificate required  
4 on a federal "Form 1 (Firearms)," "Form 4 (Firearms)," or "Form 5 (Firearms)."

5 \* **Sec. 2.** AS 44.41.020(a) is amended to read:

6 (a) The Department of Public Safety shall administer functions relative to the  
7 protection of life and property, **including functions relating to transfer of a firearm.**

8 The department may enter into agreements with nonprofit organizations and federal  
9 and local government agencies to train personnel of those agencies in the protection  
10 of life and property. The department may charge a reasonable fee for services  
11 provided under a training agreement **or for services relating to transfer of a firearm.**

12 \* **Sec. 3.** APPLICABILITY. AS 09.65.260, added by sec. 1 of this Act, applies to a civil  
13 action that accrues on or after the effective date of this Act.