



LAWS OF ALASKA

2006

Source

SCS CSHB 400(JUD)

Chapter No.

AN ACT

Relating to confiscation of firearms during disaster emergencies.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to confiscation of firearms during disaster emergencies.

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3 * **Section 1.** AS 26.23.200 is amended by adding a new paragraph to read:

4 (5) authorizes the confiscation of a firearm lawfully owned, possessed,
5 or carried by a law-abiding citizen.

6 * **Sec. 2.** AS 26.23 is amended by adding a new section to read:

7 **Sec. 26.23.205. Confiscation of firearms.** (a) A person convicted of official
8 misconduct under AS 11.56.850, or interference with constitutional rights under
9 AS 11.76.110, as a result of confiscating, attempting to confiscate, or ordering the
10 confiscation of a firearm, under color of law, during a disaster emergency,

11 (1) forfeits any appointed government position and, if under the
12 jurisdiction of the Alaska Police Standards Council, is subject to revocation of the
13 person's police certification;

14 (2) is subject to impeachment under art. II, sec. 20, Constitution of the
15 State of Alaska; or

1 (3) is subject to having the person's elected municipal office declared
2 vacant under AS 29.20.170 or 29.20.280.

3 (b) This section does not apply if the person is acting as a private citizen who
4 has been directed to confiscate a firearm by another whom the person reasonably
5 believes to be a peace officer or active member of the armed forces or militia.

6 (c) A conviction described in (a) of this section is an offense involving a
7 violation of the oath of office for purposes of AS 29.20.170 or 29.20.280.