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Senate District B

SB136 – Limitations On Firearms Restrictions

Section 1.

Adds new sections to Article 5 of AS 44.99.

- a) Establishes that notwithstanding a disaster emergency declared under AS 26.23.020, a state or municipal agency may not impose the following:
 - a. Forbid the possession, use, or transfer of a firearm, a firearm accessory, ammunition, or other weapon for personal use.
 - b. Order the seizure or confiscation of a firearm, a firearm accessory, ammunition, or other weapon for personal use.
 - c. Limit the quantity or place other restrictions on the sale or service of firearms, firearm accessories, ammunition, or other weapons for personal use.
 - d. Unless the closure or limitation applies equally to all forms of commerce within the jurisdiction, close or limit the operating hours of the following:
 - i. An entity engaged in the sale or service of firearms, firearm accessories, ammunition, or other weapons for personal use, or
 - ii. An indoor or outdoor shooting range.
 - e. Suspend or revoke a permit to carry a concealed handgun issued under [AS 18.65.700](#), except as provided in [AS 18.65.735](#) and 18.65.740; or
 - f. Refuse to accept an application to carry a concealed handgun, provided the application contains the information required under [AS 18.65.710](#).
- b) Establishes that this section does not apply to the possession of a firearm, a firearm accessory, ammunition, or other weapon by a person who is prohibited from legally possessing a firearm, a firearm accessory, ammunition, or other weapon under state law.
- c) Establishes that a person may bring a civil action in superior court if the person is adversely affected by a violation of (a) of this section, and the person is the following:
 - a. Qualified under state law to possess a firearm, a firearm accessory, ammunition, or other weapon; or
 - b. A membership organization consisting of two or more individuals eligible under (1) of this subsection that is dedicated in whole or in part to the protection of the rights of persons who possess or use firearms or other weapons.
- d) Notwithstanding [AS 09.17.020](#)(f) - (h), a prevailing plaintiff under (c) of this section may recover.
 - a. The greater amount of actual economic damages or punitive damages in the amount of three times the plaintiff's attorney fees.
 - b. Court costs; and
 - c. Attorney fees.
- e) Defines "State or Municipal Agency" to include the following: University of Alaska or a department, institution, board, commission, division, council, committee, authority, public corporation, school district, regional educational attendance area, or other administrative unit

of a municipality or of the executive, judicial, or legislative branch of state government, and includes employees of those entities.

Section 2.

Repeals AS 44.99.500(g)(1) which is the definition of a firearm accessory.