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Senate District B

SB 136 - Sponsor Statement

LIMITATIONS ON FIREARMS RESTRICTIONS

“An Act Relating to Firearms and Other Weapons Restrictions.”

Governors of the United States may declare a state of emergency in the event of a disaster. These declarations generally provide expansive police powers to regulate states during emergency situations to protect the public health and safety. While these police powers are usually granted by the state constitution, state statutes clarify and define the extent of the emergency authority granted during an emergency declaration. Thus, state legislatures can create reasonable regulations to define and establish the restrictions on constitutional rights that may or may not be justified in times of emergency.

It is the goal of SB 136 to clarify the extent of the emergency authority granted during an emergency declaration in regard to the Second Amendment and to prevent the unnecessary infringements on the right to keep and bear arms. SB 136 establishes that notwithstanding a declaration of a disaster emergency, neither the state or a municipal agency may not forbid the possession, use or transfer of a firearm, firearm accessory, ammunition, or other weapon for personal use. In addition, SB 136 also establishes that the closure and limitation of commerce under the police powers of the governor must be equally applied to all forms of commerce, and prevents undue restrictions of businesses associated with firearms and public shooting range facilities.

It is the duty of the state legislature to clarify the extent of the emergency authority granting restrictions on constitutional rights during an emergency declaration. SB 136 provides clarification that neither the state or municipal agencies may unnecessarily infringe upon Alaskan citizens right to keep and bear arms.

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