

**HOUSE BILL NO. 338**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES JAMES, Foster, Kelly

Introduced: 5/7/95

Referred: State Affairs, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to permits to carry concealed handguns."

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

3 \* **Section 1.** AS 18.65.700(a) is amended to read:

4 (a) The department shall issue a permit to carry a concealed handgun to a  
5 person who

6 (1) applies in person at an office of the Alaska State Troopers;

7 (2) qualifies under AS 18.65.705;

8 (3) submits a completed application on a form provided by the  
9 department, that provides the information required under AS 18.65.705 and 18.65.710

10 and is executed under oath; with each application form provided by the  
11 department, the department shall provide a copy of the state laws and regulations  
12 relating to firearms;

13 (4) [SUBMITS TWO COMPLETE SETS OF FINGERPRINTS ON  
14 FEDERAL BUREAU OF INVESTIGATION APPROVED FINGERPRINT CARDS  
15 THAT ARE OF SUFFICIENT QUALITY SO THAT THE FINGERPRINTS MAY BE

1 PROCESSED; THE FINGERPRINTS MUST BE TAKEN BY A PERSON, GROUP,  
2 OR AGENCY APPROVED BY THE DEPARTMENT; THE DEPARTMENT SHALL  
3 MAINTAIN A LIST OF PERSONS, GROUPS, OR AGENCIES APPROVED TO  
4 TAKE FINGERPRINTS AND SHALL PROVIDE THE LIST TO THE PUBLIC  
5 UPON REQUEST;

6 (5)] submits evidence of competence with handguns as provided in  
7 AS 18.65.715;

8 (5) [(6)] provides two frontal view color photographs of the person  
9 taken within the preceding 30 days that include the head and shoulders of the person  
10 and are of a size specified by the department;

11 (6) [(7)] shows a valid Alaska driver's license or identification card at  
12 the time of application;

13 (7) [(8)] does not suffer a physical infirmity that prevents the safe  
14 handling of a handgun; [AND]

15 (8) [(9)] pays the application fee required by AS 18.65.720; **and**

16 (9) **submits to a criminal background record check conducted of**  
17 **available state and federal databases.**

18 \* **Sec. 2.** AS 18.65.700(b) is amended to read:

19 (b) The department shall either approve or reject an application for a permit  
20 to carry a concealed handgun under (a) of this section within **30** [15] days of receipt  
21 of [PERMIT ELIGIBILITY INFORMATION FROM THE FEDERAL BUREAU OF  
22 INVESTIGATION OR OTHER AGENCY NECESSARY TO MAKE A  
23 DETERMINATION CONCERNING] the application. [THE DEPARTMENT SHALL  
24 REQUEST PERMIT ELIGIBILITY INFORMATION UNDER THIS SUBSECTION  
25 WITHIN FIVE DAYS OF THE RECEIPT OF THE APPLICATION.] The department  
26 shall notify the applicant in writing of the reason for a rejection.

27 \* **Sec. 3.** AS 18.65.700(d) is amended to read:

28 (d) A permit issued under (a) of this section is valid for five years from the  
29 date of issue. [THE PERMIT MUST SPECIFY THE ACTION TYPES AND  
30 MAXIMUM CALIBERS OF HANDGUN DESCRIBED IN THE PERMITTEE'S  
31 CERTIFICATE OF COMPETENCY UNDER AS 18.65.715 BUT MAY NOT

1 SPECIFICALLY IDENTIFY A HANDGUN BY MAKE, MODEL, OR SERIAL  
2 NUMBER.]

3 \* **Sec. 4.** AS 18.65.705(4) is amended to read:

4 (4) has not been convicted, within the five years immediately preceding  
5 the application, of, and is not currently charged under a complaint, information,  
6 indictment, or presentment with, any of the following misdemeanor offenses or similar  
7 laws of another jurisdiction:

8 (A) AS 11.41.230, 11.41.250, 11.41.270;

9 (B) AS 11.46.315, 11.46.320, 11.46.330, 11.46.430, 11.46.484;

10 (C) AS 11.51.130;

11 (D) AS 11.56.330, 11.56.350, 11.56.380, 11.56.545, 11.56.700,  
12 11.56.710, 11.56.740, 11.56.780, 11.56.790, 11.56.800, 11.56.805;

13 (E) AS 11.61.110(a)(5) [AS 11.61.110], 11.61.120, 11.61.210,  
14 11.61.220, 11.61.240; or

15 (F) AS 11.71.050, 11.71.060;

16 \* **Sec. 5.** AS 18.65.705(9) is amended to read:

17 (9) is a resident of the state and has been for the **90 days** [ONE  
18 YEAR] immediately preceding the application for a permit;

19 \* **Sec. 6.** AS 18.65.710(a)(3) is amended to read:

20 (3) a statement that the applicant has been furnished with a copy of **the**  
21 **state laws and regulations relating to firearms** [AS 18.65.700 - 18.65.790], has read  
22 those sections, and understands them;

23 \* **Sec. 7.** AS 18.65.715(a) is repealed and reenacted to read:

24 (a) An applicant for a permit to carry a concealed handgun demonstrates  
25 competence with a handgun by one of the following:

26 (1) successful completion of a

27 (A) hunter or firearms education course or hunter or firearms  
28 safety course approved by the Department of Fish and Game, the Department  
29 of Public Safety, or similar agencies of another state;

30 (B) National Rifle Association firearms safety or training  
31 course;

1 (C) firearms safety or training course or class available to the  
2 general public offered by a law enforcement, university or college, or private  
3 or public institution or organization or firearms training school utilizing  
4 instructors certified by the National Rifle Association or the Alaska Department  
5 of Public Safety;

6 (D) law enforcement firearms safety or training course or class  
7 offered for security guards, investigators, or a division or subdivision of a law  
8 enforcement or security enforcement;

9 (E) firearms safety or training course or class conducted by a  
10 state certified or National Rifle Association certified firearms instructor;

11 (2) presentation of evidence of experience with a handgun, equivalent  
12 to any of the courses or classes in (1) of this subsection, through participation in  
13 organized shooting competition or military service;

14 (3) presentation of evidence that the applicant is licensed or has been  
15 licensed to carry a handgun in this state, unless the license has been revoked for cause.

16 \* **Sec. 8.** AS 18.65.720 is amended to read:

17 Sec. 18.65.720. FEES. The department shall charge a nonrefundable fee for  
18 the processing of the application for and initial issuance of a permit, renewal of a  
19 permit, or replacement of a permit. The fees shall be set by regulation and must be  
20 based on the actual costs incurred by the department. However, the fee for the  
21 processing of an application and initial issuance of a permit may not exceed **\$65**  
22 **[\$125]** and the fee for renewal of a permit or replacement of a permit may not exceed  
23 **\$30** **[\$60]**.

24 \* **Sec. 9.** AS 18.65.755(a) is amended to read:

25 (a) A permittee may not carry a concealed handgun into

26 (1) a law enforcement or correctional facility;

27 (2) or on school grounds or a school bus; in this paragraph, "school  
28 grounds" has the meaning given in AS 11.71.900;

29 (3) a courthouse or a courtroom of this state, unless the permittee

30 (A) is a judge; or

31 (B) has been authorized to possess a concealed handgun by a

1 judge presiding at that courthouse or courtroom;

2 (4) a building housing only state or federal offices or the offices of a  
3 political subdivision of the state, except as authorized under (3) of this subsection;

4 (5) an office of the state, federal government, or of a political  
5 subdivision of the state; **if the office is** [THAT IS NOT] located in a building **not**  
6 described in (4) of this subsection, **the concealed handgun may be carried in the**  
7 **building outside of the government offices described in this paragraph except as**  
8 **the carrying may otherwise be prohibited in this subsection;**

9 (6) a passenger loading or unloading area **within** [OF] an airline  
10 terminal;

11 (7) a vessel of the Alaska marine highway system;

12 (8) a facility providing services to victims of domestic violence or  
13 sexual assault;

14 (9) a residence where notice that carrying a concealed handgun is  
15 prohibited has been given by the posting of a conspicuous notice or by oral statement  
16 by the resident to the permittee;

17 (10) **an official board or executive** [A] meeting of a business,  
18 charitable, or other organization or entity where notice that carrying a concealed  
19 handgun is prohibited has been given by the posting of conspicuous notice;

20 (11) a financial institution; in this paragraph, "financial institution"  
21 means a bank, savings bank, savings association, credit union, or other institution  
22 regulated by the Department of Commerce and Economic Development under AS 06;

23 (12) another place where the possession of a deadly weapon or firearm  
24 is prohibited by law; or

25 (13) a municipality or established village that has prohibited the  
26 possession of concealed handguns by a permit under AS 18.65.780 - 18.65.785.

27 \* **Sec. 10.** AS 18.65.715(c), 18.65.725(b), 18.65.725(c), 18.65.730(2), 18.65.765(a)(4), and  
28 18.65.790(2) are repealed.