

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

**SENATE CS FOR HOUSE BILL NO. 184(JUD) am S**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FOURTH LEGISLATURE - FIRST SESSION**

**BY THE SENATE JUDICIARY COMMITTEE**

**Amended: 5/7/05**  
**Offered: 5/3/05**

**Sponsor(s): REPRESENTATIVES CHENAULT, Stoltze, Neuman, Dahlstrom, Harris, Olson, LeDoux, Hawker, Lynn, Holm, Guttenberg, Kohring, Samuels**

**SENATORS Dyson, Huggins, Wagoner, Seekins, Green, Cowdery**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to firearms."**

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

3 **\* Section 1.** AS 18.65 is amended by adding a new section to read:

4 **Article 10A. Firearms.**

5 **Sec. 18.65.800. Possession of firearms in motor vehicles. (a)**

6 Notwithstanding any other provision of law, the state, a municipality, or a person may  
7 not adopt or enforce a law, ordinance, policy, or rule that prohibits or has the effect of  
8 prohibiting an individual from possessing a firearm while that individual is within a  
9 motor vehicle or prohibiting an individual from storing a firearm that is locked in the  
10 individual's motor vehicle while the motor vehicle is otherwise legally parked in or on  
11 state or municipal property or another person's property. This section applies only to  
12 possession of a firearm by an individual who may legally possess a firearm under state  
13 and federal law.

14 (b) This section does not limit a person's rights or remedies under any other  
15 law.

1 (c) The state, a municipality, or a person is not liable for any injury or damage  
 2 resulting from the storage of a firearm in the vehicle of another individual in  
 3 accordance with this section.

4 (d) Notwithstanding subsection (a) of this section, an employer or its agent  
 5 may prohibit the possession of firearms within a secured restricted access area as  
 6 defined in AS 29.35.145(d)(2), in a vehicle owned, leased or rented by the employer  
 7 or its agent or in a parking lot owned or controlled by the employer within 300 feet of  
 8 the secured restricted access area that does not include common areas of ingress and  
 9 egress open to the general public. The employer or its agent shall post conspicuous  
 10 notice of the prohibition against possession of firearms at each entrance to the  
 11 restricted access area and affected parking area.

12 \* **Sec. 2.** AS 29.35.145(a) is repealed and reenacted to read:

13 (a) The authority to regulate firearms is reserved to the state and, except as  
 14 specifically provided by statute, a municipality may not enact or enforce an ordinance  
 15 regulating the possession, ownership, sale, transfer, use, carrying, transportation,  
 16 licensing, taxation, or registration of firearms.

17 \* **Sec. 3.** AS 29.35.145 is amended by adding new subsections to read:

18 (c) Municipalities may enact and enforce ordinances

19 (1) that are identical to state law and that have the same penalty as  
 20 provided for by state law;

21 (2) restricting the discharge of firearms in any portion of their  
 22 respective jurisdictions where there is a reasonable likelihood that people, domestic  
 23 animals, or property will be jeopardized; ordinances enacted or enforced under this  
 24 paragraph may not abridge the right of the individual guaranteed by art. I, sec. 19,  
 25 Constitution of the State of Alaska, to bear arms in defense of self or others;

26 (3) restricting the areas in their respective jurisdictions in which  
 27 firearms may be sold; a business selling firearms may not be treated more restrictively  
 28 that other businesses located within the same zone; and

29 (4) prohibiting the possession of firearms in the restricted access area  
 30 of municipal government buildings; the municipal assembly shall post notice of the  
 31 prohibition against possession of firearms at each entrance to the restricted access

1 area.

2 (d) In this section,

3 (1) "firearms" includes firearms, or any other element relating to  
4 firearms or parts thereof including ammunition and reloading components;

5 (2) "restricted access area" means the area beyond a secure point  
6 where visitors are screened and does not include common areas of ingress and egress  
7 open to the general public.

8 (e) The prohibition on taxation in (a) of this section does not include  
9 imposition of a sales tax that is levied on all products sold within a municipality.