

**HOUSE BILL NO. 225**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES JOHNSON, Buch**

**Introduced: 3/27/07**

**Referred: Judiciary, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to misconduct involving weapons and bail."**

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

3 **\* Section 1.** AS 11.61.200(a) is amended to read:

4 (a) A person commits the crime of misconduct involving weapons in the third  
5 degree if the person

6 (1) knowingly possesses a firearm capable of being concealed on one's  
7 person after having been convicted of a felony or adjudicated a delinquent minor for  
8 conduct that would constitute a felony if committed by an adult by a court of this state,  
9 a court of the United States, or a court of another state or territory;

10 (2) knowingly sells or transfers a firearm capable of being concealed  
11 on one's person to a person who has been convicted of a felony by a court of this state,  
12 a court of the United States, or a court of another state or territory;

13 (3) manufactures, possesses, transports, sells, or transfers a prohibited  
14 weapon;

15 (4) knowingly sells or transfers a firearm to another whose physical or

1 mental condition is substantially impaired as a result of the introduction of an  
2 intoxicating liquor or controlled substance into that other person's body;

3 (5) removes, covers, alters, or destroys the manufacturer's serial  
4 number on a firearm with intent to render the firearm untraceable;

5 (6) possesses a firearm on which the manufacturer's serial number has  
6 been removed, covered, altered, or destroyed, knowing that the serial number has been  
7 removed, covered, altered, or destroyed with the intent of rendering the firearm  
8 untraceable;

9 (7) violates AS 11.46.320 and, during the violation, possesses on the  
10 person a firearm when the person's physical or mental condition is impaired as a result  
11 of the introduction of an intoxicating liquor or controlled substance into the person's  
12 body;

13 (8) violates AS 11.46.320 or 11.46.330 by entering or remaining  
14 unlawfully on premises or in a propelled vehicle in violation of a provision of an order  
15 issued or filed under AS 18.66.100 - 18.66.180 or issued under former  
16 AS 25.35.010(b) or 25.35.020 and, during the violation, possesses on the person a  
17 defensive weapon or a deadly weapon, other than an ordinary pocketknife;

18 (9) communicates in person with another in violation of AS 11.56.740  
19 and, during the communication, possesses on the person a defensive weapon or a  
20 deadly weapon, other than an ordinary pocketknife;

21 (10) resides in a dwelling knowing that there is a firearm capable of  
22 being concealed on one's person or a prohibited weapon in the dwelling if the person  
23 has been convicted of a felony by a court of this state, a court of the United States, or a  
24 court of another state or territory, unless the person has written authorization to live in  
25 a dwelling in which there is a concealable weapon described in this paragraph from a  
26 court of competent jurisdiction or from the head of the law enforcement agency of the  
27 community in which the dwelling is located;

28 (11) discharges a firearm from a propelled vehicle while the vehicle is  
29 being operated in circumstances other than described in AS 11.61.190(a)(2); [OR]

30 (12) knowingly possesses a firearm that is concealed on the person  
31 after having been convicted of a felony or adjudicated a delinquent minor for conduct

1 that would constitute a felony if committed by an adult by a court of this state, a court  
2 of the United States, or a court of another state or territory; **or**

3 **(13) knowingly possesses a firearm that is concealed on the person**  
4 **while the person is on release under AS 12.30.020 - 12.30.040 or a similar**  
5 **municipal ordinance for a crime against a person under AS 11.41, or a similar**  
6 **municipal ordinance.**

7 \* **Sec. 2.** AS 12.30 is amended by adding a new section to read:

8 **Sec. 12.30.018. No possession of firearms while on release.** A person on  
9 release under AS 12.30.020 - 12.30.040 for a crime against a person under AS 11.41  
10 may not possess a firearm that is concealed on the person.

11 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13 **APPLICABILITY.** AS 12.30.018, added by sec. 2 of this Act, applies to a person on  
14 release for offenses committed before, on, or after the effective date of this Act.  
15 AS 11.61.200(a)(13), added by sec. 1 of this Act, applies to offenses committed on or after the  
16 effective date of this Act.