

**SENATE BILL NO. 75**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY SENATOR COGHILL

Introduced: 3/11/13

Referred: State Affairs, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act prohibiting the use of assets or resources of state or municipal agencies to  
2 implement or aid in the implementation of the requirements of certain federal laws; and  
3 providing for an effective date."

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

5 \* **Section 1.** AS 44.99.040 is repealed and reenacted to read:

6 **Sec. 44.99.040. Limitation on use of state assets.** (a) A state agency may not  
7 use or authorize the use of a state asset to implement or aid in the implementation of a  
8 requirement of

9 (1) an order of the President of the United States, a federal regulation,  
10 or a law enacted by the United States Congress that is applied to

11 (A) infringe on a person's right, under the Second Amendment  
12 to the Constitution of the United States, to keep and bear arms;

13 (B) deny a person a right to due process, or a protection of due  
14 process, that would otherwise be available to the person under art. I, secs. 1 -

1           25, Constitution of the State of Alaska, art. I, sec. 9, cl. 2, Constitution of the  
2           United States, or the First through Tenth Amendments to the Constitution of  
3           the United States;

4                   (2) P.L. 109-13, Division B (REAL ID Act of 2005);

5                   (3) secs. 1021 and 1022, P.L. 112-81 (National Defense Authorization  
6           Act for Fiscal Year 2012);

7                   (4) secs. 1021 - 1028, P.L. 112-239 (National Defense Authorization  
8           Act for Fiscal Year 2013); or

9                   (5) P.L. 107-40 (Authorization for Use of Military Force).

10           (b) In this section,

11                   (1) "state agency" means the University of Alaska, the Alaska  
12           Aerospace Corporation, the Alaska Housing Finance Corporation, the Alaska  
13           Industrial Development and Export Authority, the Alaska Energy Authority, the  
14           Alaska Railroad Corporation, or a department, institution, board, commission,  
15           division, council, committee, authority, public corporation, school district, regional  
16           educational attendance area, or other administrative unit of a municipality or of the  
17           executive, judicial, or legislative branch of state government;

18                   (2) "state asset" means funds, facilities, equipment, services, or other  
19           resources of a state agency.

20   \* **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).