

CS FOR SENATE BILL NO. 174(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/6/16

Referred: Rules

Sponsor(s): SENATORS KELLY, Dunleavy, McGuire, Giessel, Stoltze

REPRESENTATIVES Tilton, Keller, Lynn, Wilson, Saddler

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the regulation of firearms and knives by the University of Alaska;**
2 **and providing for an effective date."**

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

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 FINDINGS AND INTENT. The legislature finds that the individual right to keep and
7 bear arms is a constitutionally protected right under art. I, sec. 19, Constitution of the State of
8 Alaska, and may not be abridged by the Board of Regents of the University of Alaska. The
9 legislature reserves to the state the authority to regulate firearms, except as specifically
10 provided in AS 14.40.173.

11 * **Sec. 2.** AS 14.40 is amended by adding a new section to read:

12 **Sec. 14.40.173. Regulation of firearms and knives.** (a) The authority to
13 regulate firearms and knives is reserved to the state, and, except as specifically
14 provided by statute, the Board of Regents may not enact or enforce a policy regulating

1 the possession, ownership, use, carrying, registration, storage, or transportation of
2 firearms or knives.

3 (b) The Board of Regents may not regulate the possession, ownership, use,
4 carrying, registration, storage, or transportation of concealed handguns or knives,
5 except

6 (1) in a manner identical to state law;

7 (2) in student dormitories or other shared living quarters; or

8 (3) in restricted access areas under (c)(3) of this section.

9 (c) The Board of Regents may adopt and enforce policies

10 (1) regulating the carrying of openly carried firearms;

11 (2) restricting the discharge of firearms on any portion of university
12 land where there is a reasonable likelihood that people, domestic animals, or property
13 will be jeopardized; policies adopted or enforced under this paragraph may not abridge
14 the right of the individual guaranteed by art. I, sec. 19, Constitution of the State of
15 Alaska, to bear arms in defense of self or others; and

16 (3) prohibiting the possession of firearms or knives in the restricted
17 access areas of university buildings, which may include university-designated rooms
18 where sexual assault, sexual harassment, or domestic violence are investigated and
19 victim assistance is provided and in university-designated rooms during adjudication
20 of staff or student disciplinary issues and disputes; the university shall post notice of
21 the prohibition against possession of firearms or knives at each entrance to the
22 restricted access area.

23 (d) If the Board of Regents adopts a policy under (b)(2) of this section, the
24 policy must require that, if the owner of a concealed handgun

25 (1) is not a resident of the dormitory, the owner shall carry the
26 handgun at all times;

27 (2) is a resident of the dormitory, the owner

28 (A) shall store and secure the handgun in a lockbox provided
29 by the owner of the handgun when the owner is not carrying the handgun; the
30 owner is responsible for ensuring that the lockbox and the storage of the
31 handgun meet all requirements under state law;

1 (B) may not leave a handgun in a lockbox unattended in a
2 dormitory room for more than one day; and

3 (C) shall declare to the university that the owner intends to
4 keep a weapon in the owner's dormitory room.

5 (e) The university may collect and store for not more than one year
6 information regarding a student who intends to keep a weapon in the student's
7 dormitory room. The university may only use this information when making a student
8 housing decision for a student who has expressed that the student does not want to
9 share a dormitory room with a person who possesses a firearm. The university shall
10 make efforts to maintain the privacy of a student who intends to keep a weapon in that
11 student's dormitory room. The university may not segregate students who intend to
12 keep a weapon in a dormitory room to a separate building, floor, or area of the
13 university.

14 (f) The Board of Regents, the University of Alaska, and any officers,
15 employees, or agents of the University of Alaska may not

16 (1) except as provided in (e) of this section, create a database or
17 registry of persons who possess a firearm on campus;

18 (2) require written permission before a person may possess a firearm
19 on campus; or

20 (3) adopt an implied consent policy regarding restricted possession of
21 concealed handguns or knives.

22 (g) The University of Alaska, the Board of Regents, and any officers,
23 employees, or agents of the University of Alaska are immune from civil liability for
24 any act or omission resulting from a policy or regulation adopted or enforced under
25 this section by the Board of Regents or the president of the University of Alaska, or a
26 claim arising from the possession, ownership, use, carrying, registration, or
27 transportation of firearms or knives by any person.

28 (h) In this section,

29 (1) "concealed handgun" has the meaning given in AS 18.65.790;

30 (2) "firearms" includes firearms or other elements relating to firearms
31 or parts of a firearm, including ammunition and reloading components;

1 (3) "lockbox" means a metal, hard-sided container designed to enclose
2 or encase handguns with a built-in locking mechanism;

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

6 * **Sec. 3.** This Act takes effect August 1, 2016.