

Introduced: 3/8/76  
Referred: State Affairs and  
Judiciary

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 **CS** SENATE BILL NO. 693

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the personal possession of weapons."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 11.55.010 is amended to read:

9 Sec. 11.55.010. CARRYING CONCEALED WEAPONS. (a) It is unlawful,  
10 except as provided in (b) of this section, for a person to carry con-  
11 cealed about his person, in any manner, a revolver, pistol, or other  
12 firearm, or knife, other than an ordinary pocketknife, or a dirk or  
13 dagger, [SLINGSHOT,] metal knuckles, or an instrument by the use of  
14 which injury could be inflicted upon the person or property of another.

15 (b) The provisions of (a) of this section do not apply to a per-  
16 son who has a valid permit to carry a concealed revolver, pistol or  
17 other concealable weapon or to a peace officer acting within the scope  
18 of his employment.

19 \* Sec. 2. AS 11.55 is amended by adding new sections to read:

20 Sec. 11.55.090. POSSESSION OF WEAPON IN A BAR. (a) A person who  
21 carries, has in his possession, or has in his control an instrument  
22 which could be used to inflict injury upon the person or property of  
23 another in an establishment where alcoholic beverages are served is  
24 guilty of a misdemeanor, and upon conviction is punishable by a fine of  
25 not more than \$500, or by imprisonment in jail for not more than one  
26 year, or by both.

27 (b) The provisions of (a) of this section do not apply to a person  
28 who has a valid permit to carry a concealed revolver, pistol, or other  
29 concealable weapon, to a peace officer acting within the scope of his

1 employment, or the proprietor of an establishment serving alcoholic  
2 beverages and that proprietor's employees.

3 Sec. 11.55.100. CONCEALED WEAPON PERMIT. The department may, sub-  
4 ject to the provisions of secs. 100 - 150 of this chapter, issue a permit  
5 to a person to carry a concealed weapon on his person. The permit is  
6 good for one year from the date of issuance unless revoked under the  
7 provisions of secs. 100 - 150 of this chapter. Renewals must be ob-  
8 tained in the same manner as original permits.

9 Sec. 11.55.110. PROCEDURE FOR APPLICATION. (a) A person desiring  
10 a concealed weapon permit shall, upon forms provided by the department,  
11 state

12 (1) the reason the permit is desired;

13 (2) the geographical area of the state in which he has need  
14 for the permit;

15 (3) the applicant's name, occupation, business address, date  
16 of birth, place of birth, height, weight, and color of eyes and hair;

17 (4) the applicant's places of residence during the immedi-  
18 ately preceding five years and occupation during the immediately preced-  
19 ing five years; and

20 (5) the physical description of the weapon, the name of the  
21 manufacturer and identifying numbers, or other description of the  
22 weapon for which the permit is applied for.

23 (b) The completed forms and a \$100 initial filing fee or a \$10  
24 renewal fee shall be delivered in person by the applicant to the chief  
25 law enforcement officer of the geographical area for which the permit  
26 is applied for. The applicant shall be fingerprinted and photographed  
27 and the fingerprints and photographs shall be made a part of the appli-  
28 cation. The chief law enforcement officer shall witness the signature  
29 of the applicant on the form and shall state in the space provided for

1 his comments any reasons known to him why the application should be  
2 approved or denied. The officer shall then forward the completed forms  
3 and the filing fee to the department.

4 Sec. 11.55.120. DEPARTMENT ACTION. (a) The department shall  
5 issue the permit applied for in sec. 110 of this chapter if it finds  
6 that the applicant is of good moral character and is emotionally mature,  
7 that he has a legitimate purpose for a concealed weapon permit, that  
8 the geographical area for which the permit is applied for conforms to  
9 the legitimate purpose of the permit and that the weapon is one which  
10 the person may otherwise lawfully possess. If all of these findings  
11 are not made to the satisfaction of the department, it shall deny the  
12 applicant's permit to carry a concealed weapon.

13 (b) If the department determines that the permit may be issued it  
14 shall reduce the information contained in sec. 110(2), (3) and (5) of  
15 this chapter and the photographs and fingerprints to a wallet-sized  
16 card and return the card to the applicant for his signature and posses-  
17 sion. The card must be carried on the person of the successful appli-  
18 cant at all times when he is carrying the concealed weapon. The  
19 department shall maintain a complete file on all permits granted under  
20 secs. 100 - 150 of this chapter.

21 (c) The department shall revoke the permit to carry a concealed  
22 weapon if a substantive change occurs in the applicant's disposition  
23 with regard to the provisions of (a) of this section, for a violation  
24 of secs. 100 - 150 of this chapter, or if the applicant is convicted of  
25 a crime in which the applicant's possession or use of a concealable  
26 weapon is probative of an element of that crime, or is an element of  
27 that crime, excluding violations of AS 16 or regulations adopted under  
28 that title. A person who is granted a permit to carry a concealed  
29 weapon must notify the department of any substantive changes which

1 would alter his privilege to have the permit.

2 Sec. 11.55.130. PENALTIES. A person who violates a provision of  
3 secs. 100 - 150 of this chapter is guilty of a misdemeanor and upon con-  
4 viction is punishable by a fine of not more than \$100, or by imprison-  
5 ment for not more than three months, or by both.

6 Sec. 11.55.140. DISPOSITION OF FEE. Fees collected under secs.  
7 100 - 150 of this chapter shall be deposited in the state general fund.

8 Sec. 11.55.150. DEFINITIONS. In this chapter "department" means  
9 the Department of Public Safety.