

Original sponsor: State Affairs Committee Offered: 3/26/76
Referred: Judiciary

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR 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 with a blade not
13 exceeding four inches in length, or a dirk or dagger, [SLINGSHOT,] metal
14 knuckles, or an instrument by the use of which injury could be inflicted
15 upon the person or property of another.

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

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

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

28 (b) The provisions of (a) of this section do not apply to a person
29 who has a valid permit to carry a concealed revolver, pistol, or other

1 concealable weapon, to a peace officer acting within the scope of his
2 employment, or the proprietor of an establishment serving alcoholic
3 beverages and that proprietor's employees, subject to the requirements
4 of sec. 10 of this chapter.

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

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

14 (1) the reason the permit is desired;

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

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

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

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

25 (b) The completed forms and a nonrefundable \$100 initial filing
26 fee or a \$10 renewal fee shall be delivered in person by the applicant
27 to the chief of police of the city in which the applicant resides or if
28 the applicant does not reside in a city to the commander of the trooper
29 detachment in the area in which he resides. The applicant shall be

1 fingerprinted and photographed and the fingerprints and photographs
2 shall be made a part of the application. The chief of police or com-
3 mander of the trooper detachment shall witness the signature of the
4 applicant on the form and shall state in the space provided for his
5 comments any reasons known to him why the application should be approved
6 or denied. The officer shall then forward the completed forms and the
7 filing fee to the department.

8 Sec. 11.55.120. DEPARTMENT ACTION. (a) The department shall
9 issue a permit allowing the applicant to carry a concealed weapon on his
10 person if the department, after consideration of the following criteria,
11 determines that issuance would further the public health and safety:

12 (1) whether the applicant has a legitimate purpose for a
13 concealed weapon permit;

14 (2) whether the geographical area for which the permit is
15 applied for conforms to the legitimate purpose of the permit;

16 (3) whether that weapon is one which the person may otherwise
17 lawfully possess; and

18 (4) whether that person is prohibited from ownership, posses-
19 sion, custody, or control of a concealable weapon by law;

20 (5) whether information available to the department indicates
21 that the applicant is likely to use the weapon for which the permit is
22 applied in an unlawful manner.

23 (b) If the department determines that the permit may be issued it
24 shall reduce the information contained in sec. 110(a)(2), (3) and (5) of
25 this chapter and the photograph and the right index fingerprint to a
26 wallet-sized card and return the card to the applicant for his signature
27 and possession. The card must be carried on the person of the success-
28 ful applicant at all times when he is carrying the concealed weapon for
29 which the permit was issued. The department shall maintain a complete

1 file on all permits granted under secs. 100 - 150 of this chapter.

2 (c) The department shall revoke the permit to carry a concealed
3 weapon if a substantive change occurs in the applicant's disposition
4 with regard to the provisions of (a) of this section, for a violation of
5 secs. 100 - 150 of this chapter, or if the applicant is convicted of a
6 crime in which the applicant's possession or use of a concealable weapon
7 is probative of an element of that crime, or is an element of that
8 crime, excluding violations of AS 16 or regulations adopted under that
9 title. A person who is granted a permit to carry a concealed weapon
10 must notify the department of any substantive changes which would alter
11 his privilege to have the permit.

12 Sec. 11.55.130. PENALTIES. A person who violates a provision of
13 secs. 100 - 150 of this chapter or wilfully and falsely states any in-
14 formation required by sec. 110(a) of this chapter is guilty of a mis-
15 demeanor and upon conviction is punishable by a fine of not more than
16 \$100, or by imprisonment for not more than three months, or by both.

17 Sec. 11.55.140. DISPOSITION OF FEE. Fees collected under secs.
18 100 - 150 of this chapter shall be deposited in the state general fund.

19 Sec. 11.55.150. DEFINITIONS. In this chapter "department" means
20 the Department of Public Safety.
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