

**SB**

**294**

# ALASKA STATE LEGISLATURE

Sen. Robin Taylor, Chair  
Sen. Rick Halford, Vice-Chair  
Sen. Dave Donley  
Sen. John Torgerson  
Sen. Johnny Ellis



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## Senate Judiciary Committee

### Sponsor Statement CS FOR SENATE BILL 294

#### **“An Act relating to the possession of concealed handguns and to concealed handgun permits”**

Since its passage, Alaska’s concealed carry law has been one of the most successful programs in the United States. That success is based, in part, on the original intent of the legislation to allow only knowledgeable, law-abiding citizens to obtain state permits to carry concealed handguns. Although the program has been successful, there are several recurring problems with the implementation and management of the state’s program. SB 294 proposes statutory changes to improve and streamline the process to obtain and renew a concealed handgun permit.

CS for SB 294 will eliminate some of the cumbersome and unnecessary language written into the statute: applicants will no longer be required to have a sworn application; permit holders will be allowed to submit their renewal applications up to 60 days after expiration, rather than 30 days. This allows more time to complete the renewal process before the expiration date; a new photograph will be required every ten years, instead of every five (same as for a state driver’s license); additional thumb prints will no longer be required during the renewal process, as prints never change.

The bill also makes changes to some of the training and education statutes, streamlining the process and making reciprocity with other states more attainable. The applicant will be required to provide evidence of completion of a handgun or firearms safety course, but eliminates the more subjective requirement by eliminating the specific statutory definition of “competence,” which is causing problems with reciprocity and/or recognition with other states. Alaska State Troopers now will be authorized by statute to help teach handgun courses, which may generate additional revenue.

In addition, SB 294 makes the statute apply equally to all citizens statewide and clarifies the standards for recognition of permits from other states.

SB 294 streamlines and improves a program that has been, and will continue to be, a success for Alaska.

(7)

# HOUSE COMMITTEE REPORT

Date Referred to Committee: April 12, 2000

FURTHER REFERRALS:

Judiciary

Date of Committee Action: 4/15/00

The STATE AFFAIRS Committee considered:

CSSB 294(JUD)

CS FOR SENATE BILL NO. 294(JUD)

CONCEALED HANDGUNS

"An Act relating to the possession of concealed handguns and to concealed handgun permits."

recommends it be replaced with the following committee substitute CSSB 294 (STA)  the same title  a new title

additional referral to \_\_\_\_\_ Committee

attaches amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(s): \_\_\_\_\_ (Dept)

APPROVES PREVIOUS: \_\_\_\_\_ (Dept/Date)

fiscal note(s) \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note(s) DPS

zero fiscal note(s) \_\_\_\_\_

| SIGNING WITH RECOMMENDATIONS | DP | DNP | NR | AM |
|------------------------------|----|-----|----|----|
| <i>Donnette James</i>        | ✓  |     |    |    |
| <i>Bill Hudson</i>           | ✓  |     |    |    |
| <i>M. [unclear]</i>          | ✓  |     |    |    |
| <i>[unclear]</i>             | ✓  |     |    |    |
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CHAIR'S SIGNATURE *Donnette James*

AMENDMENT

# 1 ✓

OFFERED IN THE HOUSE

TO: CSSB 294(JUD)

- 1 Page 6, lines 13 - 14:
- 2 Delete "shall be submitted under oath and"
- 3 Insert "[SHALL BE SUBMITTED UNDER OATH AND]"
  
- 4 Page 6, line 22:
- 5 Delete "and"
  
- 6 Page 6, line 23:
- 7 Delete "[ (5) ]"
- 8 Insert "[AND (5)]"
  
- 9 Page 6, line 23, following "AS 18.65.720":
- 10 Insert "and
- 11 (5) the warning listed in AS 18.65.710(a)(6)"

adopted

CS FOR SENATE BILL NO. 294(JUD)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/4/00  
Referred: Rules

Sponsor(s): SENATE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the possession of concealed handguns and to concealed  
2 handgun permits."

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

4 \* Section 1. AS 11.61.220(b) is amended to read:

5 (b) In a prosecution under (a)(1) of this section, it is an affirmative defense  
6 that the defendant, at the time of possession, was

7 (1) in the defendant's dwelling or on land owned or leased by the  
8 defendant appurtenant to the dwelling;

9 (2) actually engaged in lawful hunting, fishing, trapping, or other lawful  
10 outdoor activity that necessarily involves the carrying of a weapon for personal  
11 protection;

12 (3) the holder of a valid permit to carry a concealed handgun under  
13 AS 18.65.700 - 18.65.790 and [,] the weapon was a concealed handgun as defined in  
14 AS 18.65.790 [, AND THE POSSESSION DID NOT OCCUR IN A MUNICIPALITY

1 OR ESTABLISHED VILLAGE IN WHICH THE POSSESSION OF CONCEALED  
2 HANDGUNS IS PROHIBITED UNDER AS 18.65.780 - 18.65.785]; or

3 (4) considered a permittee under AS 18.65.748 and

4 [(A)] the weapon was a concealed handgun as defined in  
5 AS 18.65.790 [; AND

6 (B) THE POSSESSION DID NOT OCCUR IN A  
7 MUNICIPALITY OR ESTABLISHED VILLAGE IN WHICH THE  
8 POSSESSION OF CONCEALED HANDGUNS IS PROHIBITED UNDER  
9 AS 18.65.780 - 18.65.785].

10 \* Sec. 2. AS 11.61.220(d) is amended to read:

11 (d) In a prosecution under (a)(2) of this section, it is

12 (1) an affirmative defense that

13 (A) the defendant, at the time of possession, was the holder of  
14 a valid permit to carry a concealed handgun under AS 18.65.700 - 18.65.790  
15 or was considered a permittee under AS 18.65.748;

16 (B) the loaded firearm was a concealed handgun as defined in  
17 AS 18.65.790; and

18 (C) the possession occurred at a place designated as a restaurant  
19 for the purposes of AS 04.16.049 and the defendant did not consume  
20 intoxicating liquor at the place; [AND

21 (D) THE POSSESSION DID NOT OCCUR IN A  
22 MUNICIPALITY OR ESTABLISHED VILLAGE IN WHICH THE  
23 POSSESSION OF CONCEALED HANDGUNS IS PROHIBITED UNDER  
24 AS 18.65.780 - 18.65.785;]

25 (2) a defense that the defendant, at the time of possession, was on  
26 business premises

27 (A) owned by or leased by the defendant; or

28 (B) in the course of the defendant's employment for the owner  
29 or lessee of those premises.

30 \* Sec. 3. AS 18.65.700(a) is amended to read:

31 (a) The department shall issue a permit to carry a concealed handgun to a

1 person who

2 (1) applies in person at an office of the Alaska State Troopers;

3 (2) qualifies under AS 18.65.705;

4 (3) submits a completed application on a form provided by the  
5 department, that provides the information required under AS 18.65.705 and 18.65.710  
6 [AND IS EXECUTED UNDER OATH]; with each application form provided by the  
7 department, the department shall provide a copy of the state laws and regulations  
8 relating to concealed handguns, which must include a concise summary of where,  
9 when, and by whom a handgun can be carried under state and federal law;

10 (4) submits two complete sets of fingerprints on Federal Bureau of  
11 Investigation approved fingerprint cards that are of sufficient quality so that the  
12 fingerprints may be processed; the fingerprints must be taken by a person, group, or  
13 agency approved by the department; the department shall maintain a list of persons,  
14 groups, or agencies approved to take fingerprints and shall provide the list to the  
15 public upon request;

16 (5) submits evidence of successful completion of a handgun course  
17 [COMPETENCE WITH HANDGUNS] as provided in AS 18.65.715;

18 (6) provides two frontal view color photographs of the person taken  
19 within the preceding 30 days that include the head and shoulders of the person and are  
20 of a size specified by the department;

21 (7) shows a valid Alaska driver's license or identification card at the  
22 time of application;

23 (8) does not suffer a physical infirmity that prevents the safe handling  
24 of a handgun; and

25 (9) pays the application fee required by AS 18.65.720.

26 \* Sec. 4. AS 18.65.700(d) is amended to read:

27 (d) A permit issued under (a) of this section is valid for five years from the  
28 date of issue. [THE PERMIT MUST SPECIFY THE ACTION TYPES AND  
29 MAXIMUM CALIBERS OF HANDGUN DESCRIBED IN THE PERMITTEE'S  
30 CERTIFICATE OF COMPETENCY UNDER AS 18.65.715 BUT MAY NOT  
31 SPECIFICALLY IDENTIFY A HANDGUN BY MAKE, MODEL, OR SERIAL

1 NUMBER.]

2 \* Sec. 5. AS 18.65.705 is amended to read:

3 Sec. 18.65.705. **Qualifications to obtain a permit.** A person is qualified to  
4 receive and hold a permit to carry a concealed handgun if the person

5 (1) is 21 years of age or older;

6 (2) is eligible to own or possess a handgun under the laws of this state  
7 and under federal law;

8 (3) is a resident of the state and has been for the 90 days immediately  
9 preceding the application for a permit;

10 (4) has not been convicted of two or more class A misdemeanors of  
11 this state or similar laws of another jurisdiction within the six years immediately  
12 preceding the application;

13 (5) is not now in and has not in the three years immediately preceding  
14 the application been ordered by a court to complete an alcohol or substance abuse  
15 treatment program; and

16 (6) has successfully completed a handgun course [DEMONSTRATED  
17 COMPETENCE WITH HANDGUNS] as provided in AS 18.65.715.

18 \* Sec. 6. AS 18.65.710(a) is amended to read:

19 (a) The application for a permit to carry a concealed handgun must contain the  
20 following information:

21 (1) the applicant's name, physical residence, mailing address, place and  
22 date of birth, physical description, including height, weight, race, hair color, and eye  
23 color, Alaska driver's license or identification card number, and the city and state of  
24 each place the applicant has resided in the five years immediately preceding the  
25 application;

26 (2) a statement that the applicant qualifies under AS 18.65.705;

27 (3) a statement that the applicant has been furnished with a copy of the  
28 state laws and regulations relating to concealed handguns, has read those sections, and  
29 understands them;

30 (4) a statement that the applicant desires a permit to carry a concealed  
31 handgun for a lawful purpose, which may include self-defense;

1 (5) a [SWORN] statement by the applicant that all statements, answers,  
 2 and attachments to the application are true and complete;

3 (6) a conspicuous warning that [THE APPLICATION IS EXECUTED  
 4 UNDER OATH AND THAT] an applicant who supplies a false statement, answer, or  
 5 document, in connection with the application that the applicant does not believe to be  
 6 true, may be prosecuted for unsworn falsification [PERJURY UNDER AS 11.56.200]  
 7 and, if found guilty, may be punished for violation of a class A misdemeanor [B  
 8 FELONY], and that, in such cases, the permit shall be revoked and the applicant may  
 9 be barred from any further application for a permit; and

10 (7) a statement that the applicant understands that a permit eligibility  
 11 investigation will be conducted as a part of the application process, that this may  
 12 involve computerized records searches, and that the applicant authorizes the  
 13 investigation.

14 \* Sec. 7. AS 18.65.715(a) is amended to read:

15 (a) An applicant for a permit to carry a concealed handgun shall provide a  
 16 certificate of successful completion of a handgun course that is approved by the  
 17 department. [THE CERTIFICATE MUST STATE THE ACTION TYPE AND  
 18 CALIBER OF HANDGUN OR HANDGUNS THE APPLICANT HAS  
 19 DEMONSTRATED COMPETENCE WITH AND THAT THE APPLICANT MAY BE  
 20 PERMITTED TO CARRY. A PERMITTEE MAY ONLY CARRY AS A  
 21 CONCEALED HANDGUN AN ACTION TYPE OF HANDGUN DESCRIBED IN  
 22 THE CERTIFICATE. A PERMITTEE MAY ONLY CARRY AS A CONCEALED  
 23 HANDGUN THE CALIBER OF THE ACTION TYPE THAT THE PERMITTEE  
 24 DEMONSTRATED COMPETENCE WITH OR ANY LESSER CALIBER OF THE  
 25 SAME ACTION TYPE.] The handgun course must have been completed within the  
 26 12 months immediately preceding the application. The department shall approve a  
 27 handgun course, including the personal protection course offered by the National Rifle  
 28 Association, if the course tests the applicant's

29 (1) knowledge of Alaska law relating to firearms and the use of deadly  
 30 force;

31 (2) familiarity with the basic concepts of the safe and responsible use

1 of handguns; and

2 (3) knowledge of self-defense principles [; AND

3 (4) PHYSICAL COMPETENCE WITH EACH ACTION TYPE OF  
4 HANDGUN THE APPLICANT WISHES TO CARRY UNDER THE PERMIT AND  
5 THE MAXIMUM CALIBER FOR EACH ACTION TYPE THE APPLICANT  
6 WISHES TO CARRY UNDER THE PERMIT].

7 \* Sec. 8. AS 18.65.715 is amended by adding a new subsection to read:

8 (e) A member of the Alaska state troopers may participate in or conduct  
9 handgun courses.

10 \* Sec. 9. AS 18.65.725(a) is amended to read:

11 (a) A permittee shall apply in person for renewal of a permit to carry a  
12 concealed handgun within 90 days before the expiration of the permit and shall present  
13 a complete renewal form provided by the department. The renewal form shall be  
14 submitted under oath and must include

15 (1) any change in the information originally submitted under  
16 AS 18.65.710;

17 (2) a statement that the person remains qualified to receive and hold  
18 a permit to carry a concealed handgun under AS 18.65.705;

19 (3) [REPEALED

20 (4)] two frontal view photographs of the person taken within the  
21 preceding seven years [30 DAYS] that include the head and shoulders of the person  
22 and are of a size specified by the department; and

23 (4) [(5)] the renewal fee required under AS 18.65.720.

24 \* Sec. 10. AS 18.65.725(c) is amended to read:

25 (c) A renewal of a permit to carry a concealed handgun submitted on or after  
26 the expiration date is subject to a late fee of \$25. The department may not accept a  
27 renewal for a permit that is submitted more than 60 [30] days after the expiration date  
28 of the permit. Nothing in this subsection prohibits the holder of an expired permit  
29 from applying for a new permit.

30 \* Sec. 11. AS 18.65.730 is amended to read:

31 Sec. 18.65.730. Replacement of permit. The department may replace a

1 permit that the permittee certifies under oath has been lost, stolen, or destroyed,  
2 provided the permittee applies in person and

3 (1) provides two frontal view photographs of the permittee taken within  
4 the preceding seven years [30 DAYS] that include the head and shoulders and are of  
5 a size specified by the department;

6 (2) [SUBMITS TO THE TAKING OF A SINGLE THUMB OR  
7 FINGERPRINT BY THE DEPARTMENT TO COMPARE AGAINST THE  
8 FINGERPRINT ORIGINALLY SUBMITTED WITH THE APPLICATION; AND

9 (3)] pays the replacement fee required under AS 18.65.720.

10 \* Sec. 12. AS 18.65.740(a) is amended to read:

11 (a) A permit to carry a concealed handgun shall be immediately revoked by  
12 the department when the permittee

13 (1) becomes disqualified to receive and hold a permit under  
14 AS 18.65.705;

15 (2) is convicted of two class A misdemeanors of this state or similar  
16 laws of another jurisdiction within a six-year period if at least one of the convictions  
17 occurs after the application;

18 (3) knowingly supplied a false or fraudulent answer, statement, or  
19 document, or made a material misstatement or omission, in connection with an  
20 application for a permit or renewal or replacement of a permit.

21 \* Sec. 13. AS 18.65.748 is amended to read:

22 **Sec. 18.65.748. Permit holders from other jurisdictions considered Alaska**  
23 **permit holders.** <sup>(a)</sup> A person holding a valid permit to carry a concealed handgun from  
24 another state or a political subdivision of another state with permit requirements  
25 similar to [AT LEAST AS STRICT AS] those in AS 18.65.700 - 18.65.790 is a  
26 permittee under AS 18.65.700(b) for purposes of AS 18.65.750 - 18.65.765 if the  
27 person has not been in Alaska for more than 120 consecutive days. **In this section,**  
28 **"permit requirements similar to those in AS 18.65.700 - 18.65.790" means that,**  
29 **in order to receive and hold the permit in the other state or political subdivision,**  
30 **the person must**

31 (1) be at least 21 years of age;

- 1                                    (2) be eligible to own or possess a handgun under state or federal
- 2                                    law;
- 3                                    (3) successfully complete some type of handgun or firearms safety
- 4                                    course; and
- 5                                    (4) be subject to a fingerprint-based criminal records search.

6 \* Sec. 14. AS 18.65.760(a) is amended to read:

7                                    (a) The holder of a permit issued under AS 18.65.700 - 18.65.790 may not

8                                    (1) alter the permit;

9                                    (2) allow another person to use the permit;

10                                   (3) possess or display a suspended or revoked permit; or

11                                   (4) display an expired permit, unless the holder has submitted a

12                                   complete, timely renewal form under AS 18.65.725 and the renewal process has

13                                   been delayed due to circumstances not under the control of the applicant.

14 \* Sec. 15. AS 18.65.778 is amended to read:

15                                    **Sec. 18.65.778. Municipal preemption.** A municipality may not restrict the  
16 carrying of a concealed handgun by permit under AS 18.65.700 - 18.65.790 [EXCEPT  
17 AS PROVIDED IN AS 18.65.780 - 18.65.785].

18 \* Sec. 16. AS 18.65.715(c), 18.65.725(b), 18.65.765(a)(4), 18.65.780, 18.65.785,  
19 18.65.790(2), 18.65.790(5), and 18.65.790(6) are repealed.

*Then add (B)  
Am. # 4*

Conceptual Amendment to SB294(JUD)

#3 ✓

Offered by Representative Jeannette James

April 15, 2000

Delete lines 7-9, page 6

(This deletes section 8 of the bill, removing any appearance of state employees on state time competing with commercial trainers.)

Adopted



Conceptual Amendment to SB294(JUD)

#4

Offered by Representative Jeannette James

April 15, 2000

AP 748 - OR

Amend AS 18.65.748 to read: A person holding a valid permit or license to carry a concealed handgun from another state or political subdivision of another state is a permittee under AS 18.65.700 (a) for purposes of AS 18.65.700-18.65.765, if the person has not been in Alaska for more than 120 consecutive days; provided that the state or political subdivision of the state that issued the permit or license recognizes a valid Alaska Concealed Handgun Permit issued under AS 18.65.700. The Alaska State Troopers shall make a determination as to which states will be recognized in Alaska and provide that list to every law enforcement agency within the state.

given reciprocity with

(This amendment will serve to increase reciprocal agreements with other states and afford the citizens of Alaska the opportunity to have their permits recognized when they are in jurisdictions outside Alaska.)

adopted -

2029  
Jerry Luckhaupt

**The following amendments are recommended to CSSB 294 (JUD):**

- Remove the deletions from the CS reference competency (this has worked well for the last 5 years and should not be deleted)
- Eliminate the amendment which adds "Alaska State Troopers may participate in or conduct handgun courses" (If a trooper wishes to teach a course on his/her own time this is presently acceptable; however, it is inappropriate for state employees on state time to be in competition with commercial trainers)
- Change the requirement for a photograph to be taken within 7 years to (previous requirement) within 30 days for renewal
- Change all references to "two" frontal view photographs to "one" (technology has changed and only one is needed)
- Amend AS 18.65.725 (a) to delete "shall be submitted under oath" (this will eliminate the need for a notarized statement)
- Amend AS 18.65.748 to read: A person holding a valid permit or license to carry a concealed handgun from another state or political subdivision of another state is a permittee under AS 18.65.700 (a) for purposes of AS 18.65.700-18.65.765, if the person has not been in Alaska for more than 120 consecutive days; provided that the state or political subdivision of the state that issued the permit or license recognizes a valid Alaska Concealed Handgun Permit issued under AS 18.65.700. The Alaska State Troopers shall make a determination as to which states will be recognized in Alaska and provide that list to every law enforcement agency within the state. (This amendment will serve to increase reciprocal agreements with other states and afford the citizens of Alaska the opportunity to have their permits recognized when they are in jurisdictions outside Alaska.)
- Changes crime of "perjury" to "unsworn falsification" during the initial application process; additionally, this also negates need to have the application notarized
- Eliminates requirement for the Department to take a thumbprint to be processed with renewal application

*From Rayce  
at DPS*

**CSSB 294 (JUD)**  
**“An Act relating to the possession of concealed handguns & to  
concealed handgun permits.”**

Bill does the following

- \* Eliminates municipalities' ability to prohibit carrying concealed handguns
- \* Eliminates mandatory requirement to demonstrate competency with a handgun
- \* Eliminates mandatory requirement to qualify with an action-type or maximum caliber handgun
- \* Changes crime of “perjury” to “unsworn falsification” during the initial application process; additionally, this also negates need to have the application notarized
- \* Adds amendment which states that Alaska State Troopers may participate or conduct handgun courses
- \* Eliminates requirement to require a photograph taken within 30 days prior to submitting a renewal package
- \* Eliminates requirement for the Department to take a thumbprint to be processed with renewal application
- \* Changes the words “at least as strict as” to “similar to” as in reference to permit requirements for the purpose of reciprocity
- \* Defines “permit requirements similar to...” to mean that a person must be at least 21 to be eligible to own or possess a handgun under state and federal law, successfully complete some type of handgun or firearms safety course and be subject to a fingerprint-based criminal records search

Bill repeals the following statutes:

- 18.65.715 (c) deals with competency
- 18.65.725 (b) deals with thumbprint for renewal
- 18.65.765 (a) (4) deals with action and caliber type
- 18.65.780 deals with municipal prohibition of handguns
- 18.65.785 deals with local option for municipal prohibition
- 18.65.790 (2) deals with definition of competence
- 18.65.790 (5) deals with definition of established village
- 18.65.790 (6) deals with definition of governing body



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### Fax Transmittal Cover Sheet

Message To Be Delivered To: House State Affairs Committee Members  
cc: Senator Robin Taylor

Message From: Brian Judy, Alaska State Liaison

Date and Time Message Sent: April 14, 2000 4:30 p.m.

Regarding: CSSB 294 - SUPPORT

Number of Pages Including Cover Sheet: 2

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On behalf of the more than 20,000 members of the National Rifle Association who live in Alaska, I strongly urge your support for Senate Bill 294.

The changes proposed to the concealed weapon permit law by this legislation fall into three categories: 1) technical changes; 2) process efficiency modifications and 3) substantive changes.

The technical change made by SB 294 is deletion of the requirement that permit applications be "sworn" and changes the crime from "perjury" to "unsworn falsification" with a corresponding penalty modification. It is my understanding that this amendment was recommended by legislative counsel and NRA is fine with this change.

SB 294 would also allow trooper participation in familiarity courses, allow use of the previous photo for permit renewal and replacement, extend the period for renewal after permit expiration from 30 to 60 days, delete the requirement that thumbprints be given when permits are renewed or replaced and extend the validity of expired permits when the renewal process is delayed. These "process efficiency" amendments are all proposed with the intent of making the permit issuance process run more smoothly and NRA is in full support of all these changes.

The National Rifle Association also strongly supports the three substantive changes proposed by SB 294:

1) *Clarification of the requirements for recognition of other states' permits.*

This change will allow more law-abiding citizens to be able to provide a means of self-defense while visiting Alaska. Such recognition by Alaska will, in turn, cause more states to recognize the permits of Alaskans when they are in those states.

2) *Deletion of the virtually unused and unconstitutional municipal opt-out provisions.*

Since 1994, when the concealed weapon law was enacted, only one municipality has attempted to restrict law-abiding citizens' ability to carry a means of self-defense concealed. In 1998, firearm prohibitionists in the City of Haines put a measure on the ballot and were rejected by a 3-1 margin. If a restrictive ordinance was adopted at some point in the future, it would be violative of Article I, Section 19 of the Alaska State Constitution which provides that "The individual right to keep and bear arms shall not be denied or infringed by...a political subdivision of the state."

3) *Deletion of the "competency" requirement and action/caliber specifications.*

While the NRA is the foremost advocate of safe and responsible firearm use, these statutory mandates are unnecessary. If you look at the range of states which allow concealed carry, from Vermont, which doesn't even require a permit to carry a concealed firearm for self-defense, to Washington, which issues permits (over 200,000 issued currently) with no training requirement of any kind, to Utah, which requires familiarity with no live-fire requirement, to Alaska, which does require live-fire, the empirical outcome is the same: law-abiding citizens are safe and responsible and do not cause problems, training-related or otherwise. In Alaska, law-abiding citizens can carry firearms *openly* without a permit, without being fingerprinted, without paying fees and without costly, government-mandated training programs. Although there is no practical reason why individuals who submit to licensing and background checks in order to carry *concealed* should be treated differently than those who choose to carry *openly*, this bill maintains the requirement that permit applicants take a familiarity course; it only deletes the unnecessary and arbitrary competency standards.

The National Rifle Association urges your support for Senate Bill 294.

**CSSB 294**  
**SECTIONAL**

*From Bartea*

- Section 1-2** Deletes criminal offense of possession of a concealed handgun while in a local community with an opt-out ordinance.
- Section 3** Deletes statutory requirement that the application be executed under oath.
- Section 4** Deletes requirement to list specific action type and caliber on permit.
- Section 5** Amends qualifications to obtain a permit to: "has successfully completed a handgun course."
- Section 6** Deletes warning that the application is executed under oath and changes the penalty for providing known false or inaccurate information from perjury to unsworn falsification
- Section 7** Deletes requirement for specific action type and caliber of handgun and deletes the requirement that the applicant physically demonstrate competence with specific action type and caliber.
- Section 8** Gives statutory authority for Alaska State troopers to participate in handgun courses.
- Section 9** Amends permit renewal requirements to provide a new photograph every seven years (every other renewal), instead of every five years.
- Section 10** Amends permit renewal process to allow an applicant to file for a renewal of the permit for up to 60 days after the expiration date of the permit.
- Section 11** Amends replacement of permit process to provide a photograph taken within the previous seven years, instead of within the preceding 30 days.
- Section 12** Revocation of permit (no changes to current law).
- Section 13** Expands and better defines guidelines for recognition of permit holders from other jurisdictions.
- Section 14** Provides for an exception to expired permit penalty if the applicant has filed in a timely manner for a permit renewal and has not yet received the permit from the state of Alaska.
- Section 15** Deletes local opt-out provisions of municipal preemption statute.
- Section 16** Repeals sections to conform to the changes made throughout the bill.

- 1                                    (2) be eligible to own or possess a handgun under state or federal  
 2                                    law;  
 3                                    (3) successfully complete some type of handgun or firearms safety  
 4                                    course; and  
 5                                    (4) be subject to a fingerprint-based criminal records search.

6 \* Sec. 14. AS 18.65.760(a) is amended to read:

7                                    (a) The holder of a permit issued under AS 18.65.700 - 18.65.790 may not

- 8                                    (1) alter the permit;  
 9                                    (2) allow another person to use the permit;  
 10                                   (3) possess or display a suspended or revoked permit; or  
 11                                   (4) display an expired permit, unless the holder has submitted a  
 12                                   complete, timely renewal form under AS 18.65.725 and the renewal process has  
 13                                   been delayed due to circumstances not under the control of the applicant.

14 \* Sec. 15. AS 18.65.778 is amended to read:

15                                   **Sec. 18.65.778. Municipal preemption.** A municipality may not restrict the  
 16 carrying of a concealed handgun by permit under AS 18.65.700 - 18.65.790 [EXCEPT  
 17 AS PROVIDED IN AS 18.65.780 - 18.65.785].

18 \* Sec. 16. AS ~~18.65.715(c), 18.65.725(b), 18.65.765(a)(4), 18.65.780, 18.65.785,~~  
 19 ~~18.65.790(2), 18.65.790(5), and 18.65.790(6)~~ are repealed.

*See  
Attached*

Lt. David Hudson

off net 9:30 Sat.

from Seattle Airport  
Boardroom

(Royce 2649)

604-662-8111

Vancouver

Lt. David Hudson

8:15

(Eleanor 4322)

Calling off-net

# FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO. HCS for CSSB 294(ST/A)

|   |  |
|---|--|
| Revision Date <u>4/14/00</u>  | Dept. Affected <u>Public Safety</u>              |
| Title <u>An Act relating to the possession of concealed handguns . . . handgun permits.</u> | BRU <u>AK. State Trooper - Detachments</u>       |
| Sponsor <u>Senate Judiciary</u>   | Component <u>AK. State Trooper - Detachments</u> |
| Requester <u>House State Affairs Committee</u>  | Component No. <u>2325</u>                        |

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

| OPERATING EXPENDITURES | FY 2001    | FY 2002    | FY 2003    | FY 2004    | FY 2005    | FY 2006    |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services      |            |            |            |            |            |            |
| Travel                 |            |            |            |            |            |            |
| Contractual            |            |            |            |            |            |            |
| Supplies               |            |            |            |            |            |            |
| Equipment              |            |            |            |            |            |            |
| Land & Structures      |            |            |            |            |            |            |
| Grants & Claims        |            |            |            |            |            |            |
| Miscellaneous          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                      |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES |  |  |  |  |  |  |
|----------------------|--|--|--|--|--|--|

|                        |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES ( ) |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

| FUND SOURCE              | FY 2001    | FY 2002    | FY 2003    | FY 2004    | FY 2005    | FY 2006    |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts    |            |            |            |            |            |            |
| 1003 GF Match            |            |            |            |            |            |            |
| 1004 GF                  |            |            |            |            |            |            |
| 1005 GF/Program Receipts |            |            |            |            |            |            |
| 1037 GF/Mental Health    |            |            |            |            |            |            |
| Other (Specify Type)     |            |            |            |            |            |            |
| <b>TOTAL</b>             | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY2000) cost: 0.0

**POSITIONS**

| POSITIONS | FY 2001 | FY 2002 | FY 2003 | FY 2004 | FY 2005 | FY 2006 |
|-----------|---------|---------|---------|---------|---------|---------|
| Full-time |         |         |         |         |         |         |
| Part-time |         |         |         |         |         |         |
| Temporary |         |         |         |         |         |         |

**ANALYSIS:** (Attach a separate page if necessary)

This bill is not expected to have a budgetary impact.

|   |                                    |
|---|------------------------------------|
| Prepared by: <u>Royce Weller, Special Assistant</u> | Phone <u>465-2649</u>              |
| Division: <u>Office of the Commissioner</u>         | Date/Time: <u>4/14/00 12:00 AM</u> |
| Approved by Commissioner: <u>Ronald L. Otte</u>     | Date: <u>4-14-00</u>               |
| Agency: <u>Department of Public Safety</u>          |                                    |

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# FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO. HCS for CSSB 294(STA)

|   |  |
|---|--|
| Revision Date <u>4/14/00</u>  | Dept. Affected <u>Public Safety</u>              |
| Title <u>An Act relating to the possession of concealed handguns . . . handgun permits.</u> | BRU <u>AK. State Trooper - Detachments</u>       |
| Sponsor <u>Senate Judiciary</u>   | Component <u>AK. State Trooper - Detachments</u> |
| Requester <u>House State Affairs Committee</u>  | Component No. <u>2325</u>                        |

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

| OPERATING EXPENDITURES | FY 2001    | FY 2002    | FY 2003    | FY 2004    | FY 2005    | FY 2006    |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services      |            |            |            |            |            |            |
| Travel                 |            |            |            |            |            |            |
| Contractual            |            |            |            |            |            |            |
| Supplies               |            |            |            |            |            |            |
| Equipment              |            |            |            |            |            |            |
| Land & Structures      |            |            |            |            |            |            |
| Grants & Claims        |            |            |            |            |            |            |
| Miscellaneous          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|

|                               |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES ( )</b> |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|                          |            |            |            |            |            |            |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts    |            |            |            |            |            |            |
| 1003 GF Match            |            |            |            |            |            |            |
| 1004 GF                  |            |            |            |            |            |            |
| 1005 GF/Program Receipts |            |            |            |            |            |            |
| 1037 GF/Mental Health    |            |            |            |            |            |            |
| Other (Specify Type)     |            |            |            |            |            |            |
| <b>TOTAL</b>             | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY2000) cost: 0.0

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |

**ANALYSIS:** (Attach a separate page if necessary)

This bill is not expected to have a budgetary impact.

|   |                                   |
|---|-----------------------------------|
| Prepared by: <u>Royce Weller, Special Assistant</u> | Phone <u>465-2649</u>             |
| Division: <u>Office of the Commissioner</u>         | Date/Time <u>4/14/00 12:00 AM</u> |
| Approved by Commissioner: <u>Ronald L. Otte</u>     | Date: <u>4-14-00</u>              |
| Agency: <u>Department of Public Safety</u>          |                                   |

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# FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

No. 1  
Bill Version: CSSB 294 (JUD)

Revision Date \_\_\_\_\_ Dept. Affected Public Safety  
Title Relating to the possession of concealed handguns BRU AK. State Trooper - Detachments  
and to concealed handgun permits. Component AK. State Trooper - Detachments  
Sponsor Senate Judiciary Committee  
Requester Senate Judiciary Committee Component No. 2325

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

| OPERATING EXPENDITURES | FY 2001    | FY 2002    | FY 2003    | FY 2004    | FY 2005    | FY 2006    |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services      |            |            |            |            |            |            |
| Travel                 |            |            |            |            |            |            |
| Contractual            |            |            |            |            |            |            |
| Supplies               |            |            |            |            |            |            |
| Equipment              |            |            |            |            |            |            |
| Land & Structures      |            |            |            |            |            |            |
| Grants & Claims        |            |            |            |            |            |            |
| Miscellaneous          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|

|                               |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES ( )</b> |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|                          |            |            |            |            |            |            |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts    |            |            |            |            |            |            |
| 1003 GF Match            |            |            |            |            |            |            |
| 1004 GF                  |            |            |            |            |            |            |
| 1005 GF/Program Receipts |            |            |            |            |            |            |
| 1037 GF/Mental Health    |            |            |            |            |            |            |
| Other (Specify Type)     |            |            |            |            |            |            |
| <b>TOTAL</b>             | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY2000) cost: 0.0

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |

**ANALYSIS:** (Attach a separate page if necessary)

This bill is not expected to have a budgetary impact.

Prepared by: Royce Weller, Special Assistant Phone 465-2649  
Division Office of the Commissioner Date/Time 3/29/00 12:00 AM  
Approved by Commissioner Ronald L. Otte Date 3/29/00  
Agency Department of Public Safety

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