

1 HB208
2 202521-4
3 By Representative Standridge
4 RFD: Military and Veterans Affairs
5 First Read: 11-FEB-20

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 Relating to pistol permits; to amend Section
9 13A-11-75.1, of the Code of Alabama 1975, as amended by Act
10 2019-525 of the 2019 Regular Session, providing for the
11 issuance of a pistol permit to a retired military veteran
12 without the payment of a fee, to further authorize an active
13 member of the U.S. Armed Forces and a honorably discharged
14 veteran to be issued a pistol permit without the payment of a
15 fee.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 13A-11-75.1, Code of Alabama
18 1975, as amended by Act 2019-525 of the 2019 Regular Session,
19 is further amended to read as follows:

20 "§13A-11-75.1.

21 "~~(a) The words retired military veteran as used in~~
22 ~~this section, unless the context clearly requires a different~~
23 ~~meaning, means only those persons who are retirees from active~~
24 ~~duty in the Army, or the Navy, or the Marine Corps, or the Air~~
25 ~~Force, or the Coast Guard of the United States or any reserve~~
26 ~~or National Guard component thereof.~~ For the purposes of this
27 section, the following words have the following meanings:

1 "(1) HONORABLY DISCHARGED VETERAN. A person who has
2 been honorably discharged from the U.S. Armed Forces as
3 evidenced by the veteran's DD-214 form, or if the veteran does
4 not have a DD-214 form, as evidenced by the Veteran's Record
5 and Report of Separation Honorable Discharge Record.

6 "(2) MEMBER OF THE U.S. ARMED FORCES. An active
7 member of the U.S. Armed Forces as evidenced by a current
8 valid U.S. Military Identification.

9 "(3) RETIRED MILITARY VETERAN. A person who is
10 retired from active duty in the U.S. Armed Forces as evidenced
11 by a U.S. government issued Veteran Identification Card or
12 Veteran's DD-214 form.

13 "(4) U.S. ARMED FORCES. The Army, Navy, Marine
14 Corps, Air Force, Coast Guard of the United States, or any
15 reserve or National Guard component thereof.

16 "(b) (1) Any member of the U.S. Armed Forces, an
17 honorable discharged veteran, or any retired military veteran
18 who meets the conditions for issuance of a pistol permit
19 pursuant to Section 13A-11-75 shall be eligible to obtain the
20 pistol permit without paying a fee for the permit. Upon
21 approval of the pistol permit application, the pistol permit
22 shall be issued by the sheriff of the county in which the
23 veteran resides ~~upon presentation by the.~~

24 "(2) In order to obtain a pistol permit under this
25 section, a retired military veteran of the United States Armed
26 Forces ~~government issued Veteran Identification Card or a~~
27 DD-214 Proof of Military Service form and shall present

1 sufficient proof that the person is a military retiree, an
2 active member of the U.S. Armed Forces shall present proof of
3 his or her current status as an active member of the U.S.
4 Armed Forces, and an honorably discharged veteran shall
5 present proof that he or she has been honorably discharged
6 from the U.S. Armed Forces.

7 "(3) The retired military veteran shall holder of
8 the pistol permit issued under this section may apply for
9 renewal as required by law, but shall be eligible to obtain
10 renewed pistol permits without paying a fee as long as he or
11 she meets the conditions for renewal of the permit.

12 "(c) In the event an active member of the U.S. Armed
13 Forces, a person who has been honorably discharged from the
14 U.S. Armed Forces, or a retired veteran, to whom a pistol
15 permit has been issued pursuant to subsection (b), is
16 ~~suspected of or is charged with or~~ convicted of a felony
17 involving moral turpitude, as defined in Section 17-3-30.1,
18 domestic violence in the first degree, as defined in Section
19 13A-6-130, or domestic violence in the second degree, as
20 defined in Section 13A-6-131, then the sheriff of the county
21 in which the ~~retired veteran~~ holder of the pistol permit
22 resides may revoke the pistol permit. The sheriff shall notify
23 the ~~retired veteran~~ holder of the pistol permit in writing and
24 by registered mail that his or her pistol permit is revoked.
25 The sheriff shall state the reasons for the revocation and
26 order the ~~retiree~~ holder of the pistol permit to return his or
27 her pistol permit to that sheriff within 30 days. Should the

1 ~~retired veteran~~ holder of the pistol permit refuse to return
2 the pistol permit within the 30-day limit and continue to
3 carry the handgun, he or she shall be guilty of carrying a
4 weapon without a license or carrying a concealed weapon,
5 whichever might be the case."

6 (d) In the event that any active duty member of the
7 United States Armed Forces resigns from his or her duties as
8 an active duty member of the United States Armed Forces
9 without being honorably discharged pursuant to Section
10 13A-11-75.1(a) (1), or who is dishonorably discharged from the
11 United States Armed Forces, shall immediately forfeit his or
12 her permit obtained under this act and shall return the permit
13 to the sheriff within 30 days. Should the resigned United
14 States Armed Forces member or dishonorably discharged United
15 States Armed Forces permit holder refuse to return the pistol
16 permit within the 30-day limit and continue to carry the
17 handgun, he or she shall be guilty of carrying a weapon
18 without a license or carrying a concealed weapon, whichever
19 might be the case.

20 Section 2. This act shall become effective on the
21 first day of the third month following its passage and
22 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Military and
Veterans Affairs..... 11-FEB-20

Read for the second time and placed
on the calendar..... 20-FEB-20

Read for the third time and passed
as amended..... 25-FEB-20

Yeas 98, Nays 0, Abstains 4

Jeff Woodard
Clerk