

1 HB272
2 217071-3
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5 Shedd, Stadthagen, Collins, Treadaway, Estes, Moore (P),
6 Hanes, Smith, Standridge, Robbins, Mooney, Meadows, Whorton,
7 Crawford, Ledbetter, Fincher, Wingo, Holmes, Dismukes, Carns,
8 Isbell, Robertson, Wadsworth, Wood (D), Kiel and Harbison
9 RFD: Public Safety and Homeland Security
10 First Read: 03-FEB-22

8 SYNOPSIS: Under existing law, no person is authorized
9 to carry a concealed weapon or an unsecured firearm
10 in his or her vehicle unless the person has a valid
11 Alabama permit to carry a concealed weapon.

12 Also under existing law, when a person
13 commits a crime of violence, the possession of a
14 pistol without a permit is prima facie evidence of
15 the intent to commit the crime.

16 This bill would repeal certain restrictions
17 on the carrying or possession of a firearm on
18 certain property or in a motor vehicle by persons
19 with or without a concealed pistol permit.

20 The bill would revise certain restrictions
21 on the carrying or possession of firearms on
22 private property, at certain locations, and would
23 revise the definition of a courthouse annex, one of
24 the locations in which carrying or possession of a
25 firearm is prohibited.

26 This bill would revise the presumption that
27 a person carrying a pistol without a pistol permit

1 is prima facie evidence of intent to commit a crime
2 of violence.

3 This bill would eliminate the requirement
4 for a person to obtain a concealed carry permit in
5 order to lawfully carry a pistol.

6 This bill would revise the definition of
7 shotgun.

8 This bill would repeal restrictions on the
9 carrying of a bowie knife or concealed knife.

10 This bill would authorize the governing body
11 of each two-year or four-year institution of higher
12 education to adopt policies governing the
13 possession of firearms on its grounds, under
14 certain conditions.

15 This bill would also make nonsubstantive,
16 technical revisions to update the existing code
17 language to current style.

18 Amendment 621 of the Constitution of Alabama
19 of 1901, as amended by Amendment 890, now appearing
20 as Section 111.05 of the Official ReCompilation of
21 the Constitution of Alabama of 1901, as amended,
22 prohibits a general law whose purpose or effect
23 would be to require a new or increased expenditure
24 of local funds from becoming effective with regard
25 to a local governmental entity without enactment by
26 a 2/3 vote unless: it comes within one of a number
27 of specified exceptions; it is approved by the

1 affected entity; or the Legislature appropriates
2 funds, or provides a local source of revenue, to
3 the entity for the purpose.

4 The purpose or effect of this bill would be
5 to require a new or increased expenditure of local
6 funds within the meaning of the amendment. However,
7 the bill does not require approval of a local
8 governmental entity or enactment by a 2/3 vote to
9 become effective because it comes within one of the
10 specified exceptions contained in the amendment.

11
12 A BILL
13 TO BE ENTITLED
14 AN ACT

15
16 Relating to firearms; to amend Sections 13A-11-7,
17 13A-11-52, 13A-11-61.2, 13A-11-62, 13A-11-71, 13A-11-74,
18 13A-11-85, and 13A-11-90, Code of Alabama 1975, to delete
19 certain language regarding the carrying of a visible pistol;
20 to delete certain language regarding the carrying of a
21 concealed pistol; to revise certain restrictions on the
22 carrying or possession of a pistol on private property; to
23 revise certain restrictions on the carrying or possession of
24 firearms at certain locations; to eliminate the requirement
25 for a person to obtain a concealed carry permit to lawfully
26 carry a pistol; to revise the definition of shotgun; to revise
27 language regarding an employee storing a firearm in the

1 employee's vehicle; to make nonsubstantive, technical
2 revisions to update the existing code language to current
3 style; to repeal Sections 9-11-304, 13A-11-50, 13A-11-55, and
4 13A-11-73, Code of Alabama 1975, relating to the carrying or
5 possession of a weapon, to repeal certain restrictions and
6 penalties for carrying a concealed weapon, to repeal certain
7 restrictions on the carrying or possession of a firearm on
8 certain property or in a motor vehicle; to provide further for
9 policies of two-year or four-year institutions of higher
10 education regarding firearm possession on grounds of that
11 institution; and in connection therewith would have as its
12 purpose or effect the requirement of a new or increased
13 expenditure of local funds within the meaning of Amendment 621
14 of the Constitution of Alabama of 1901, as amended by
15 Amendment 890, now appearing as Section 111.05 of the Official
16 Recompilation of the Constitution of Alabama of 1901, as
17 amended.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Sections 13A-11-7, 13A-11-52,
20 13A-11-61.2, 13A-11-62, 13A-11-71, 13A-11-74, 13A-11-85, and
21 13A-11-90, Code of Alabama 1975, are amended to read as
22 follows:

23 "§13A-11-7.

24 "(a) A person commits the crime of disorderly
25 conduct if, with intent to cause public inconvenience,
26 annoyance, or alarm, or recklessly creating a risk thereof, he
27 or she does any of the following:

1 "(1) Engages in fighting or in violent tumultuous or
2 threatening behavior.

3 "(2) Makes unreasonable noise.

4 "(3) In a public place uses abusive or obscene
5 language or makes an obscene gesture.

6 "(4) Without lawful authority, disturbs any lawful
7 assembly or meeting of persons.

8 "(5) Obstructs vehicular or pedestrian traffic, or a
9 transportation facility.

10 "(6) Congregates with other person in a public place
11 and refuses to comply with a lawful order of law enforcement
12 to disperse.

13 "(b) Disorderly conduct is a Class C misdemeanor.

14 "(c) ~~It shall be a rebuttable presumption that the~~
15 The mere carrying of a ~~visible~~ pistol, holstered or otherwise
16 secured on or about one's person, without brandishing the
17 weapon, in a public place, in and of itself, is not a
18 violation of this section. For purposes of this subsection,
19 "brandishing" shall mean the waving, flourishing, displaying,
20 or holding of an item in a manner that is threatening or would
21 appear threatening to a reasonable person, with or without
22 explicit verbal threat, or in a wanton or reckless manner.

23 "(d) Nothing in Act 2013-283 shall be construed to
24 prohibit law enforcement personnel who have reasonable
25 suspicion from acting to prevent a breach of the peace or from
26 taking action to preserve public safety.

27 "§13A-11-52.

1 "Except as otherwise provided in this article, no
2 person shall carry a pistol about his or her person on private
3 property not his or her own or under his or her control unless
4 ~~the person possesses a valid concealed weapon permit or the~~
5 person has the consent of the owner or legal possessor of the
6 premises; but this section shall not apply to any law
7 enforcement officer in the lawful discharge of the duties of
8 his or her office, or to a United States marshal or his or her
9 deputies, rural free delivery mail carriers in the discharge
10 of their duties as such, bonded constables in the discharge of
11 their duties as such, conductors, railway mail clerks, and
12 express messengers in the discharge of their duties.

13 "§13A-11-61.2.

14 "(a) In addition to any other place limited or
15 prohibited by state or federal law, a person, including a
16 person with a permit issued under Section 13A-11-75~~(a)(1)~~ or
17 recognized under Section 13A-11-85, may not knowingly possess
18 or carry a firearm in any of the following places without the
19 express permission of a person or entity with authority over
20 the premises:

21 "(1) Inside the building of a police, sheriff, or
22 highway patrol station.

23 "(2) Inside or on the premises of a prison, jail,
24 halfway house, community corrections facility, or other
25 detention facility for those who have been charged with or
26 convicted of a criminal or juvenile offense.

1 "(3) Inside a facility ~~which~~ that provides inpatient
2 or custodial care of those with psychiatric, mental, or
3 emotional disorders.

4 "(4)a. Inside a courthouse, courthouse annex, a
5 building in which a district attorney's office is located, or
6 a building in which a county commission or city council is
7 currently having a regularly scheduled or specially called
8 meeting.

9 "b. For purposes of this subdivision, "courthouse
10 annex" means a building that is either of the following:

11 "1. A building constructed, purchased, or repurposed
12 as part of a courthouse complex or judicial complex, for so
13 long as the building is actively and regularly used for that
14 purpose.

15 "2. A building or part of a building that, by order
16 of any presiding judge, is having regularly scheduled or
17 specially called court hearings. A building or part of a
18 building that is a courthouse annex pursuant to this
19 subparagraph shall be a courthouse annex only for the duration
20 of the hearing or hearings and any other related activities
21 that the presiding judge orders necessary.

22 "(5) Inside any facility hosting an athletic event
23 not related to or involving firearms which is sponsored by a
24 private or public elementary or secondary school or any
25 private or public institution of postsecondary education,
26 unless the person has a permit issued under Section
27 13A-11-75~~(a)~~(1) or recognized under Section 13A-11-85.

1 "(6) Inside any facility hosting a professional
2 athletic event not related to or involving firearms, unless
3 the person has a permit issued under Section 13A-11-75~~(a)(1)~~
4 or recognized under Section 13A-11-85.

5 "(b) (1) Notwithstanding the provisions of subsection
6 (a), and in addition to any other place where possession of a
7 firearm or a pistol is prohibited by federal or state law,
8 including, but not limited to, Section 13A-11-52, a person,
9 including a person with a permit issued under Section
10 13A-11-75~~(a)(1)~~ or recognized under Section 13A-11-85, ~~may~~
11 ~~not,~~ without the express permission of a person or entity with
12 authority over the premises, may not knowingly possess or
13 carry a firearm inside any building or facility to which
14 access of unauthorized persons and prohibited articles is
15 limited during normal hours of operation by the continuous
16 posting of guards and the use of other security features,
17 including, but not limited to, magnetometers, key cards,
18 biometric screening devices, or turnstiles or other physical
19 barriers that prevent all persons entering the facility from
20 bringing prohibited items into the facility.

21 "(2) It is not a violation of subsection (a) or (b)
22 to knowingly possess or carry a firearm at a location
23 described in subsection (a) or (b) if the location is also a
24 sheriff's office that issues pistol permits and the pistol
25 remains inside of a locked vehicle at all times while the
26 person is on the premises.

1 "(3) Nothing in this subsection otherwise restricts
2 the possession, transportation, or storage of a lawfully
3 possessed firearm or ammunition in an employee's privately
4 owned motor vehicle while parked or operated in a public or
5 private parking area provided the employee complies with the
6 requirements of Section 13A-11-90.

7 "(c) The person or entity with authority over the
8 premises set forth in subdivisions (1) to (6), inclusive, of
9 subsection (a) and subsection (b) shall place a notice at the
10 public entrances of such premises or buildings alerting those
11 entering that firearms are prohibited.

12 "~~(d) Except as provided in subdivisions (5) and (6)~~
13 ~~of subsection (a), any~~ Any firearm on the premises of any
14 facility set forth in subdivision (1) of subsection (a), or
15 subdivisions (4) to (6) inclusive, of subsection (a), or
16 subsection (b) ~~must~~ shall be kept from ordinary observation
17 and locked within a compartment or in the interior of the
18 person's motor vehicle or in a compartment or container
19 securely affixed to the motor vehicle.

20 "(e) A violation of subsection (a), (b), or (d) is a
21 Class C misdemeanor.

22 "(f) This section shall not prohibit any person from
23 possessing a firearm within the person's residence or during
24 ingress or egress thereto.

25 "(g) Prohibitions regarding the carrying of a
26 firearm under this section shall not apply to law enforcement
27 officers engaged in the lawful execution of their official

1 duties or a qualified retired law enforcement officer. For
2 purposes of this section, qualified retired law enforcement
3 officer shall mean a retired officer who meets all of the
4 following requirements:

5 "(1) Was separated from service in good standing
6 from service with a public agency as a law enforcement
7 officer.

8 "(2) Before separation, was authorized by law to
9 engage in or supervise the prevention, detection,
10 investigation, or prosecution of, or the incarceration of any
11 person for, any violation of law, and had statutory powers of
12 arrest.

13 "(3) Before separation, served as a law enforcement
14 officer for an aggregate of 10 years or more and separated
15 from service with such agency, after completing any applicable
16 probationary period of such service, due to a
17 service-connected disability, as determined by the agency.

18 "(4) During the most recent 12-month period, has
19 met, at the expense of the individual, the standards for
20 qualification in firearms training for active law enforcement
21 officers, as determined by the former agency of the
22 individual, the state in which the individual resides or, if
23 the state has not established such standards, either a law
24 enforcement agency within the state in which the individual
25 resides or the standards used by a certified firearms
26 instructor that is qualified to conduct a firearms
27 qualification test for active duty officers within that state.

1 "(5) Has not been officially found by a qualified
2 medical professional employed by the agency to be unqualified
3 for reasons relating to mental health, and as a result, will
4 not be issued the photographic identification described in
5 subdivision (8) and has not entered into an agreement with the
6 agency from which the individual is separating from service in
7 which that individual acknowledges he or she is not qualified
8 under this section for reasons relating to mental health and
9 for those reasons will not receive or accept the photographic
10 identification as described in ~~subsection~~ subdivision (8).

11 "(6) Is not under the influence of alcohol or
12 another intoxicating or hallucinatory drug or substance.

13 "(7) Is not prohibited by state or federal law from
14 receiving a firearm.

15 "(8) Is carrying any of the following identification
16 documents:

17 "a. A photographic identification issued by the
18 agency from which the individual separated from service as a
19 law enforcement officer that identifies the person as having
20 been employed as a police officer or law enforcement officer
21 and indicates that the individual has, not less recently than
22 one year before the date the individual is carrying the
23 concealed firearm, been tested or otherwise found by the
24 agency to meet the active duty standards for qualification in
25 firearms training as established by the agency to carry a
26 firearm of the same type as the concealed firearm.

1 "b. A photographic identification issued by the
2 agency from which the individual separated from service as a
3 law enforcement officer that identifies the person as having
4 been employed as a police officer or law enforcement officer,
5 and a certification issued by the state in which the
6 individual resides or by a certified firearms instructor who
7 is qualified to conduct a firearms qualification test for
8 active duty officers within that state that indicates that the
9 individual, not less than one year before the date the
10 individual is carrying the concealed firearm, has been tested
11 or otherwise found by the state or a certified firearms
12 instructor who is qualified to conduct a firearms
13 qualification test for active duty officers within that state
14 to have met either of the following:

15 "1. The active duty standards for qualification in
16 firearms training, as established by the state, to carry a
17 firearm of the same type as the concealed firearm.

18 "2. If the state has not established such standards,
19 standards set by any law enforcement agency within that state
20 to carry a firearm of the same type as the concealed firearm.

21 "(h) Nothing in this section shall be construed to
22 authorize the carrying or possession of a firearm where
23 prohibited by federal law.

24 "§13A-11-62.

25 "For purposes of this division, the following terms
26 shall have the following meanings, unless the context clearly
27 indicates otherwise:

1 "~~(1)~~ FIREARM. ~~Definition is same as provided in As~~
2 defined under Section 13A-8-1~~(4)~~).

3 "~~(2)~~ RIFLE. Any weapon designed or redesigned, made
4 or remade, and intended to be fired from the shoulder and
5 designed or redesigned and made or remade to use the energy of
6 the explosive in a fixed metallic cartridge to fire only a
7 single projectile through a rifled bore for each pull of the
8 trigger.

9 "~~(3)~~ (5) SHOTGUN. A weapon designed or redesigned,
10 ~~made or remade, and intended to be fired from the shoulder and~~
11 ~~designed or redesigned~~ and made or remade to use the energy of
12 the explosive in a fixed shotgun shell to fire through a
13 smooth bore either a number of ~~ball~~ shot or a single
14 projectile for each single pull of the trigger.

15 "~~(4)~~ (3) SHORT-BARRELED RIFLE. A rifle having one or
16 more barrels less than 16 inches in length and any weapon made
17 from a rifle (whether by alteration, modification, or
18 otherwise) if such weapon, as modified, has an overall length
19 of less than 26 inches.

20 "~~(5)~~ (4) SHORT-BARRELED SHOTGUN. A shotgun having
21 one or more barrels less than 18 inches in length and any
22 weapon made from a shotgun (whether by alteration,
23 modification, or otherwise) if such weapon as modified has an
24 overall length of less than 26 inches.

25 "§13A-11-71.

26 "Any person who commits or attempts to commit ~~if any~~
27 ~~person shall commit or attempt to commit~~ a crime of violence

1 when armed with a pistol, ~~he may,~~ in addition to the
2 punishment provided for the crime, may additionally be
3 punished ~~also~~ as provided by this division. ~~In the trial of a~~
4 ~~person for committing or attempting to commit a crime of~~
5 ~~violence, the fact that he was armed with a pistol and had no~~
6 ~~license to carry the same shall be prima facie evidence of his~~
7 ~~intention to commit said crime of violence.~~

8 "§13A-11-74.

9 "The provisions of Section ~~13A-11-73~~ 13A-11-72(c)
10 shall not apply to marshals, sheriffs, prison and jail wardens
11 and their regularly employed deputies, ~~policemen~~ police
12 officers and other law enforcement officers of any state or
13 political subdivision thereof, or to the members of the Army,
14 Navy ~~or,~~ Marine Corps, Air Force, or Space Force of the United
15 States or of the National Guard, or to the members of the
16 National Guard organized reserves or state guard organizations
17 when on duty or going to or from duty, or to the regularly
18 enrolled members of any organization duly authorized to
19 purchase or receive ~~such~~ the weapons from the United States or
20 from this state; provided, that ~~such~~ those members are at or
21 are going to or from their places of assembly or target
22 practices, or to officers or employees of the United States
23 duly authorized to carry a pistol, or to any person engaged in
24 manufacturing, repairing, or dealing in pistols, or the agent
25 or representative of ~~such~~ a person possessing, using, or
26 carrying a pistol in the usual or ordinary course of ~~such~~
27 pistol manufacturing, repairing, or dealing business, or to

1 any common carrier, except taxicabs, licensed as a common
2 carrier, or to any person permitted by law to possess a pistol
3 while carrying it unloaded in a secure wrapper, from the place
4 of purchase to his or her home or place of business, or to or
5 from a place of repair or in moving from one place of abode or
6 business to another.

7 "§13A-11-85.

8 "(a) A person licensed to carry a handgun in any
9 state shall be authorized to carry a handgun in this state.
10 This section shall apply to a license holder from another
11 state only while the license holder is not a resident of this
12 state. A license holder from another state shall carry the
13 handgun in compliance with the laws of this state. The
14 issuance of a permit to carry a pistol pursuant to Section
15 13A-11-75 or the recognition of a nonresident license under
16 this section does not impose a general prohibition on the
17 carrying of a pistol without a permit.

18 "(b) The Attorney General ~~is authorized to~~ may enter
19 into reciprocal agreements with other states for the mutual
20 recognition of licenses to carry handguns and shall
21 periodically publish a list of states which recognize licenses
22 issued pursuant to Section 13A-11-75.

23 "§13A-11-90.

24 "(a) Except as provided in subdivision (b), a public
25 or private employer may restrict or prohibit its employees,
26 including those with a permit issued or recognized under
27 Section 13A-11-75, from carrying firearms while on the

1 employer's property or while engaged in the duties of the
2 person's employment.

3 "(b) (1) A public or private employer may not restrict
4 or prohibit the transportation or storage of a lawfully
5 possessed ~~firearm~~ pistol or ammunition for that pistol in an
6 employee's privately owned motor vehicle while parked or
7 operated in a public or private parking area; provided, that
8 the employee satisfies all of the following conditions:

9 "a. The motor vehicle is operated or parked in a
10 location where it is otherwise permitted to be.

11 "b. The pistol is either of the following:

12 "1. In a motor vehicle attended by the employee,
13 kept from ordinary observation within the person's motor
14 vehicle.

15 "2. In a motor vehicle unattended by the employee,
16 kept from ordinary observation and locked within a
17 compartment, container, or in the interior of the person's
18 privately owned motor vehicle or in a compartment or container
19 securely affixed to the motor vehicle.

20 "(2) A public or private employer may not restrict
21 or prohibit the transportation or storage of a lawfully
22 possessed ~~firearm~~ legal for use for hunting in Alabama other
23 than a pistol, or ammunition for that firearm, in an
24 employee's privately owned motor vehicle while parked or
25 operated in a public or private parking area if the employee
26 satisfies all of the following:

27 "(1) ~~The employee either:~~

1 ~~"a. Has a valid concealed weapon permit; or~~

2 ~~"b. If the weapon is any firearm legal for use for~~
3 ~~hunting in Alabama other than a pistol;~~

4 ~~"i. a. The employee possesses a valid Alabama~~
5 ~~hunting license;~~

6 ~~"ii. b. The weapon is unloaded at all times on the~~
7 ~~property;~~

8 ~~"iii. c. It is during a season in which hunting is~~
9 ~~permitted by Alabama law or regulation;~~

10 ~~"iv. d. The employee has never been convicted of any~~
11 ~~crime of violence as that term is defined in Section~~
12 ~~13A-11-70, nor of any crime set forth in Chapter 6 of Title~~
13 ~~13A, nor is subject to a Domestic Violence Order, as that term~~
14 ~~is defined in Section 13A-6-141;~~

15 ~~" v. The employee does not meet any of the factors~~
16 ~~set forth in Section 13A-11-75(a)(1)a.1-8; and~~

17 ~~"vi. e. The employee has no documented prior~~
18 ~~workplace incidents involving the threat of physical injury or~~
19 ~~which resulted in physical injury.~~

20 ~~"(2) f. The motor vehicle is operated or parked in a~~
21 ~~location where it is otherwise permitted to be.~~

22 ~~"(3) g. The firearm is either of the following:~~

23 ~~"a. 1. In a motor vehicle attended by the employee,~~
24 ~~kept from ordinary observation within the person's motor~~
25 ~~vehicle.~~

26 ~~"b. 2. In a motor vehicle unattended by the~~
27 ~~employee, kept from ordinary observation and locked within a~~

1 compartment, container, or in the interior of the person's
2 privately owned motor vehicle or in a compartment or container
3 securely affixed to the motor vehicle.

4 "(c) If an employer believes that an employee
5 presents a risk of harm to ~~himself/herself~~ himself, herself,
6 or to others, the employer may inquire as to whether the
7 employee possesses a firearm in his or her private motor
8 vehicle. If the employee does possess a firearm in his or her
9 private motor vehicle on the property of the employer, the
10 employer may make any inquiry necessary to establish that the
11 employee is in compliance with subsection (b).

12 "(1) If the employee is not in compliance with
13 subsection (b), the employer may take adverse employment
14 action against the employee, in the discretion of the
15 employer.

16 "(2) If the employee has been in compliance with
17 subsection (b) at all times, the employer may not take adverse
18 employment action against the employee based solely on the
19 presence of the firearm.

20 "(d) If an employer discovers by other means that an
21 employee is transporting or storing a firearm in his or her
22 private motor vehicle, the employer may not take any adverse
23 employment action against the employee based solely on the
24 possession of that firearm if the employee has complied with
25 the requirements in subsection (b).

26 "(e) Nothing in this section shall prohibit an
27 employer from reporting to law enforcement a complaint based

1 upon information and belief that there is credible evidence of
2 any of the following:

3 "(1) That the employee's motor vehicle contains:

4 "a. A firearm prohibited by state or federal law.

5 "b. Stolen property or a prohibited or illegal item
6 other than a firearm.

7 "(2) A threat made by an employee to cause bodily
8 harm to themselves or others.

9 "(f) If law enforcement officers, pursuant to a
10 valid search warrant or valid warrantless search based upon
11 probable cause, exigent circumstances, or other lawful
12 exception to the search warrant requirement, discover a
13 firearm prohibited by state or federal law, stolen property,
14 or a prohibited or illegal item other than a firearm, the
15 employer may take adverse employment action against the
16 employee.

17 "(g) ~~However,~~ Notwithstanding subsection (f), if the
18 employee has fully complied with the requirements of
19 subsection (b) and does not possess a firearm prohibited by
20 state or federal law, that employee is entitled to recovery as
21 specified in this subsection for any adverse employment action
22 against the employee. If demand for the recovery has not been
23 satisfied within 45 calendar days, the employee may file a
24 civil action in the appropriate court of this state against
25 the public or private employer. A plaintiff is entitled to
26 seek an award of all of the following:

1 "(1) Compensation, if applicable, for lost wages or
2 benefits.

3 "(2) Compensation, if applicable, for other lost
4 remuneration caused by the termination, demotion, or other
5 adverse action.

6 "(h) The license requirements set forth in ~~sections~~
7 ~~(b)(1)a. and (b)(1)b.i.~~ subdivision (b)(1) are for the
8 purposes of this section only in order to determine whether an
9 employee may transport or store a lawfully possessed firearm
10 or ammunition in an employee's privately owned motor vehicle
11 while parked or operated in a public or private parking area
12 owned by the employer and shall not be construed to otherwise
13 expand the requirements for the lawful possession of a
14 firearm. These requirements shall not be interpreted to mean
15 that the laws of the State of Alabama create any new
16 connection between the possession of a hunting license and the
17 right of a citizen to keep and bear arms.

18 "(i) Prohibitions regarding the carrying of a
19 firearm under this section shall not apply to law enforcement
20 officers engaged in the lawful execution of their official
21 duties.

22 "(j) Nothing in this section shall be construed to
23 authorize the transportation, carrying, storing, or possession
24 of a firearm or ammunition where prohibited by federal law."

25 Section 2. The issuance of a permit to carry a
26 pistol pursuant to Section 13A-11-75, Code of Alabama 1975, or
27 the recognition of a nonresident license pursuant to Section

1 13A-11-85, Code of Alabama 1975, does not impose a general
2 prohibition on the carrying of a pistol without a permit.

3 Section 3. (a) Notwithstanding any provision of
4 state law to the contrary, the governing body of each two-year
5 or four-year institution of higher education may adopt
6 policies governing the possession of firearms or other weapons
7 on grounds owned or controlled by the institution. The
8 governing body may not adopt a policy in conflict with federal
9 law.

10 (b) A policy adopted under subsection (a) shall
11 allow for individuals not otherwise prohibited from possession
12 of a firearm by state or federal law to possess a firearm and
13 ammunition for that firearm in the individual's privately
14 owned motor vehicle while parked or operated on the grounds of
15 the institution; provided, that the individual satisfies all
16 of the following conditions:

17 (1) If the firearm is a pistol, the individual is
18 not generally prohibited from possession of a pistol by state
19 or federal law.

20 (2) If the firearm is any firearm legal for use for
21 hunting in Alabama other than a pistol:

22 a. The individual possesses a valid Alabama hunting
23 license.

24 b. The firearm is unloaded at all times on the
25 grounds.

26 c. It is during a season in which hunting is
27 permitted by Alabama law or regulation.

1 d. The individual has never been convicted of any
2 crime of violence as that term is defined in Section
3 13A-11-70, Code of Alabama 1975, nor of any crime set forth in
4 Chapter 6 of Title 13A, Code of Alabama 1975, nor is subject
5 to a domestic violence order, as that term is defined in
6 Section 13A-6-141, Code of Alabama 1975.

7 e. The individual has no documented prior incidents
8 on the grounds of the institution involving the threat of
9 physical injury or which resulted in physical injury to
10 another.

11 (3) The motor vehicle is operated or parked in a
12 location where it is otherwise permitted to be.

13 (4) The firearm is either of the following:

14 a. In a motor vehicle attended by the individual,
15 kept from ordinary observation within the individual's motor
16 vehicle.

17 b. In a motor vehicle unattended by the individual,
18 kept from ordinary observation and locked within a
19 compartment, container, or in the interior of the individual's
20 privately owned motor vehicle or in a compartment or container
21 securely affixed to the motor vehicle.

22 (c) It is the intent of the Legislature that
23 constitutionally created boards of trustees of institutions of
24 higher education comply with this section.

25 Section 4. The following sections are hereby
26 repealed:

1 (1) Section 9-11-304, Code of Alabama 1975, relating
2 to carrying a pistol on any wildlife management area.

3 (2) Section 13A-11-50, Code of Alabama 1975,
4 relating to penalties for carrying concealed weapons.

5 (3) Section 13A-11-55, Code of Alabama 1975,
6 relating to indictments for carrying weapons unlawfully.

7 (4) Section 13A-11-73, Code of Alabama 1975,
8 relating to possession of an unloaded pistol in motor vehicle.

9 Section 5. Although this bill would have as its
10 purpose or effect the requirement of a new or increased
11 expenditure of local funds, the bill is excluded from further
12 requirements and application under Amendment 621, as amended
13 by Amendment 890, now appearing as Section 111.05 of the
14 Official Recompilation of the Constitution of Alabama of 1901,
15 as amended, because the bill defines a new crime or amends the
16 definition of an existing crime.

17 Section 6. This act shall become effective on
18 January 1, 2023, following its passage and approval by the
19 Governor, or its otherwise becoming law.