

1 SB383
2 152749-4
3 By Senator Brewbaker
4 RFD: Education
5 First Read: 04-APR-13

1 SB383

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4 ENROLLED, An Act,

5 Relating to public K-12 education; to authorize each
6 local board of education to allow persons employed as school
7 security personnel or school resource officers to carry
8 firearms while on duty; to require that such employees have
9 certain qualifications; and to amend Section 13A-11-72,
10 relating to who may possess weapons, to provide an exception
11 for certain qualified school security personnel and school
12 resource officers.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. (a) A local board of education may employ
15 persons as school security personnel or contract with a local
16 chief of police or sheriff to employ school resource officers.
17 A local board of education may allow any person employed by
18 the board as school security personnel or as a school resource
19 officer to carry a firearm while on duty if the employee
20 satisfies all of the following qualifications:

21 (1) He or she is certified by the Alabama Peace
22 Officers' Standards and Training Commission as a law
23 enforcement officer whose certification is in good standing
24 and who has successfully completed active shooter training
25 approved by the Alabama State Law Enforcement Agency.

1 (2) He or she annually completes and passes the
2 firearm requalification required of law enforcement officers
3 by the Alabama Peace Officers' Standards and Training
4 Commission.

5 (3) He or she must carry a non-lethal weapon and
6 must be trained in the appropriate use of that non-lethal
7 weapon.

8 (b) The State Department of Education shall
9 promulgate any necessary rules to provide for the
10 implementation of this section including, but not limited to,
11 rules providing additional qualifications for employment as
12 school security personnel or school resource officers.

13 Section 2. Section 13A-11-72 of the Code of Alabama
14 1975, is amended to read as follows:

15 "§13A-11-72.

16 "(a) No person who has been convicted in this state
17 or elsewhere of committing or attempting to commit a crime of
18 violence shall own a pistol or have one in his or her
19 possession or under his or her control.

20 "(b) No person who is a drug addict or an habitual
21 drunkard shall own a pistol or have one in his or her
22 possession or under his or her control.

23 "(c) Subject to the exceptions provided by Section
24 13A-11-74, no person shall knowingly with intent to do bodily

1 harm carry or possess a deadly weapon on the premises of a
2 public school.

3 "(d) Possession of a deadly weapon with the intent
4 to do bodily harm on the premises of a public school in
5 violation of subsection (c) of this section is a Class C
6 felony.

7 "(e) School security personnel and school resource
8 officers qualified under subsection (a) of Section 1 of the
9 act amending this subsection, employed by a local board of
10 education, and authorized by the employing local board of
11 education to carry a deadly weapon while on duty are exempt
12 from subsection (c) of this section. Law enforcement officers
13 are exempt from this section, and persons with pistol permits
14 issued pursuant to Section 13A-11-75, are exempt from ~~the~~
15 ~~provisions of~~ subsection (c) of this section.

16 "(f) " The term "school resource officer" as used in
17 this section means an Alabama Peace Officers' Standards and
18 Training Commissioner-certified law enforcement officer
19 employed by a law enforcement agency who is specifically
20 selected and specially trained for the school setting."

21 "(g) The term "public school" as used in this
22 section applies only to a school composed of grades K-12 and
23 shall include a school bus used for grades K-12.

24 "(h) The term "deadly weapon" as used in this
25 section means a firearm or anything manifestly designed, made,

1 or adapted for the purposes of inflicting death or serious
2 physical injury, and such term includes, but is not limited
3 to, a bazooka, hand grenade, missile, or explosive or
4 incendiary device; a pistol, rifle, or shotgun; or a
5 switch-blade knife, gravity knife, stiletto, sword, or dagger;
6 or any club, baton, billy, black-jack, bludgeon, or metal
7 knuckles."

8 Section 3. This act shall become effective
9 immediately following its passage and approval by the
10 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB383

Senate 30-APR-13

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Amended and passed 09-MAY-13

Senate concurred in House amendment 20-MAY-13

By: Senator Brewbaker