

SENATE BILL NO. 69

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY SENATOR EGAN

Introduced: 2/24/17

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to misconduct involving weapons in the fifth degree; and providing for**
2 **an effective date."**

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

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

5 (a) A person commits the crime of misconduct involving weapons in the fifth
6 degree if the person

7 (1) is 21 years of age or older and knowingly possesses a deadly
8 weapon, other than an ordinary pocket knife or a defensive weapon,

9 (A) that is concealed on the person, and, when contacted by a
10 peace officer, the person fails to

11 (i) immediately inform the peace officer of that
12 possession; or

13 (ii) allow the peace officer to secure the deadly weapon,
14 or fails to secure the weapon at the direction of the peace officer,

1 during the duration of the contact;

2 (B) that is concealed on the person within the residence of
3 another person unless the person has first obtained the express permission of
4 an adult residing there to bring a concealed deadly weapon within the
5 residence;

6 (2) knowingly possesses a loaded firearm on the person in any place
7 where intoxicating liquor is sold for consumption on the premises;

8 (3) being an unemancipated minor under 16 years of age, possesses a
9 firearm, switchblade, or gravity knife without the consent of a parent or guardian of
10 the minor;

11 (4) knowingly possesses a firearm

12 (A) within the grounds of or on a parking lot immediately
13 adjacent to an entity, other than a private residence, licensed as a child care
14 facility under AS 47.32 or recognized by the federal government for the care of
15 children, except that a person 21 years of age or older may possess an unloaded
16 firearm in the trunk of a motor vehicle or encased in a closed container of a
17 motor vehicle;

18 (B) within a

19 (i) courtroom or office of the Alaska Court System; or

20 (ii) courthouse that is occupied only by the Alaska
21 Court System and other justice-related agencies; [OR]

22 (C) within a domestic violence or sexual assault shelter that
23 receives funding from the state; or

24 **(D) that is concealed within the interior of a vehicle in**
25 **which the person is present, and, when contacted by a peace officer, the**
26 **person fails to**

27 **(i) immediately inform the peace officer of that**
28 **possession; or**

29 **(ii) allow the peace officer to secure the firearm or**
30 **fails to secure the firearm at the direction of the peace officer,**
31 **during the duration of the contact;**

1 (5) [REPEALED]

2 (6) is less than 21 years of age and knowingly possesses a deadly
3 weapon, other than an ordinary pocket knife or a defensive weapon, that is concealed
4 on the person.

5 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
6 read:

7 APPLICABILITY. AS 11.61.220(a), as amended by sec. 1 of this Act, applies to
8 offenses committed on or after the effective date of sec. 1 of this Act.

9 * **Sec. 3.** This Act takes effect July 1, 2017.