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3 CONFERENCE COMMITTEE SUBSTITUTE FOR HB272
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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 at
22 certain locations, and would revise the definition
23 of a courthouse annex, one of the locations in
24 which carrying or possession of a firearm is
25 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 in any area not
6 specifically prohibited by law.

7 This bill would revise the definition of
8 shotgun.

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

11 This bill would require any person armed
12 with a concealed pistol or firearm or who has a
13 pistol or firearm in his or her vehicle to declare
14 that pistol or firearm to a law enforcement officer
15 when prompted, under certain conditions.

16 This bill would prohibit the knowing
17 touching of a handgun during an investigative stop
18 by law enforcement.

19 This bill would authorize a law enforcement
20 officer to temporarily take a person's firearm into
21 custody to ensure the firearm should not be
22 detained under law, under limited conditions when
23 the officer has reasonable suspicion that the
24 person is engaging in, or will engage in, criminal
25 conduct or determines that a reasonable person
26 would believe that the person is a danger to the
27 officer or any individual.

1 This bill would establish the Local
2 Government Pistol Permit Revenue Loss Fund, to
3 issue grants to sheriffs to replace pistol permit
4 revenue.

5 This bill would authorize the governing body
6 of each two-year or four-year institution of higher
7 education to adopt policies governing the
8 possession of firearms on its grounds, under
9 certain conditions.

10 This bill would also make nonsubstantive,
11 technical revisions to update the existing code
12 language to current style.

13 Amendment 621 of the Constitution of Alabama
14 of 1901, as amended by Amendment 890, now appearing
15 as Section 111.05 of the Official Recompilation of
16 the Constitution of Alabama of 1901, as amended,
17 prohibits a general law whose purpose or effect
18 would be to require a new or increased expenditure
19 of local funds from becoming effective with regard
20 to a local governmental entity without enactment by
21 a 2/3 vote unless: it comes within one of a number
22 of specified exceptions; it is approved by the
23 affected entity; or the Legislature appropriates
24 funds, or provides a local source of revenue, to
25 the entity for the purpose.

26 The purpose or effect of this bill would be
27 to require a new or increased expenditure of local

1 funds within the meaning of the amendment. However,
2 the bill does not require approval of a local
3 governmental entity or enactment by a 2/3 vote to
4 become effective because it comes within one of the
5 specified exceptions contained in the amendment.

6
7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to firearms; to amend Sections 13A-11-7,
12 13A-11-50, 13A-11-61.2, 13A-11-62, 13A-11-71, 13A-11-74,
13 13A-11-85, and 13A-11-90, Code of Alabama 1975, to delete
14 certain language regarding the carrying of a visible pistol;
15 to revise certain penalties for carrying weapons unlawfully;
16 to delete certain language regarding the carrying of a
17 concealed pistol; to revise certain restrictions on the
18 carrying or possession of firearms at certain locations; to
19 eliminate the requirement for a person to obtain a concealed
20 carry permit to lawfully carry a pistol; to revise the
21 definition of shotgun; to revise language regarding an
22 employee storing a firearm in the employee's vehicle; to
23 require persons to disclose a concealed pistol or firearm to a
24 law enforcement officer under certain conditions; to authorize
25 a law enforcement officer to temporarily take a person's
26 firearm into custody, under certain conditions; to prohibit
27 the knowing touching of a firearm during a law enforcement

1 investigative stop, under certain conditions; to create a
2 program to issue grants to offices of sheriff to replace
3 pistol permit revenue; to make nonsubstantive, technical
4 revisions to update the existing code language to current
5 style; to repeal Sections 13A-11-55 and 13A-11-73, Code of
6 Alabama 1975, relating to the carrying or possession of a
7 weapon, to repeal certain restrictions on the carrying or
8 possession of a firearm on certain property or in a motor
9 vehicle; to authorize the temporary taking into custody of a
10 firearm by a law enforcement officer, under certain
11 conditions; to provide further for policies of two-year or
12 four-year institutions of higher education regarding firearm
13 possession on grounds of that institution; and in connection
14 therewith would have as its purpose or effect the requirement
15 of a new or increased expenditure of local funds within the
16 meaning of Amendment 621 of the Constitution of Alabama of
17 1901, as amended by Amendment 890, now appearing as Section
18 111.05 of the Official Recompilation of the Constitution of
19 Alabama of 1901, as amended.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Sections 13A-11-7, 13A-11-50,
22 13A-11-61.2, 13A-11-62, 13A-11-71, 13A-11-74, 13A-11-85, and
23 13A-11-90, Code of Alabama 1975, are amended to read as
24 follows:

25 "§13A-11-7.

26 "(a) A person commits the crime of disorderly
27 conduct if, with intent to cause public inconvenience,

1 annoyance, or alarm, or recklessly creating a risk thereof, he
2 or she does any of the following:

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

5 "(2) Makes unreasonable noise.

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

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

10 "(5) Obstructs vehicular or pedestrian traffic, or a
11 transportation facility.

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

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

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

25 "(d) Nothing in Act 2013-283 shall be construed to
26 prohibit law enforcement personnel who have reasonable

1 suspicion from acting to prevent a breach of the peace or from
2 taking action to preserve public safety.

3 "§13A-11-50.

4 ~~"Except as otherwise provided in this Code, a A~~
5 ~~person who, in violation of this article, carries concealed~~
6 ~~about his or her person a ~~bowie knife or knife or instrument~~~~
7 ~~of like kind or description or in a vehicle a pistol or~~
8 ~~firearm of any other kind or an air gun shall, on conviction,~~
9 ~~be fined not less than \$50.00 nor more than \$500.00, and may~~
10 ~~also be imprisoned in the county jail or sentenced to hard~~
11 ~~labor for the county for not more than six months guilty of a~~
12 ~~Class B misdemeanor.~~

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 or the primary office of any elected official.

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

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

15 "2. A building or part of a building that, by order
16 of any judge or probate judge, is having regularly scheduled
17 or specially called judicial proceedings. A building or part
18 of a building that is a courthouse annex pursuant to this
19 subparagraph shall be a courthouse annex only for the duration
20 of the judicial proceedings and any other related activities
21 that the 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 or
8 may be prohibited pursuant to federal or state law, including,
9 but not limited to, Section 13A-11-52, a person, including a
10 person with a permit issued under Section 13A-11-75~~(a)(1)~~ or
11 recognized under Section 13A-11-85, ~~may not,~~ without the
12 express permission of a person or entity with authority over
13 the premises, may not knowingly possess or carry a firearm
14 inside any building or facility to which access of
15 unauthorized persons and prohibited articles is limited during
16 normal hours of operation by the continuous posting of guards
17 and the use of other security features, including, but not
18 limited to, magnetometers, key cards, biometric screening
19 devices, or turnstiles or other physical barriers that prevent
20 all persons entering the facility from bringing prohibited
21 items into the facility.

22 "(2) It is not a violation of subsection (a) or (b)
23 to knowingly possess or carry a firearm at a location
24 described in subsection (a) or (b) if the location is also a
25 sheriff's office that issues pistol permits and the pistol
26 remains inside of a locked vehicle at all times while the
27 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. Any person who knowingly possesses a
4 pistol or firearm concealed on or about his or her person or
5 in a vehicle occupied by the person, and who is asked by a law
6 enforcement officer operating in the line or scope of his or
7 her official duties whether he or she is armed with a
8 concealed pistol or firearm, shall immediately inform the law
9 enforcement officer that the person is in possession of a
10 pistol or firearm.

11 Section 4. (a) A person who is the driver or
12 occupant of any motor vehicle that is stopped as a result of a
13 traffic stop or as a result of a stop for another law
14 enforcement purpose and who is transporting or has a loaded
15 handgun in the motor vehicle or commercial motor vehicle shall
16 not knowingly touch the handgun with his or her hands or
17 fingers at any time after a person known to be a law
18 enforcement officer begins approaching and before the law
19 enforcement officer terminates contact with the person, unless
20 the person has contact with the loaded handgun pursuant to,
21 and in accordance with, directions given by the law
22 enforcement officer.

23 (b) A violation of this section is a Class A
24 misdemeanor.

25 Section 5. (a) If at any time during an
26 investigation a law enforcement officer acting in the lawful
27 discharge of the officer's official duties has a reasonable

1 suspicion that an individual is engaged or is about to be
2 engaged in criminal conduct, or the officer determines that a
3 reasonable person would believe that it is necessary for the
4 protection of the officer, individual, or any other
5 individual, the officer may temporarily take into custody the
6 firearm that could be used to engage in criminal conduct or to
7 cause harm to the officer, individual, or any other
8 individual.

9 (b) While the firearm is in the law enforcement
10 officer's possession, and if the officer has a reasonable
11 suspicion that an individual is engaged or is about to be
12 engaged in criminal conduct, the law enforcement officer may
13 conduct a search of any available local, state, or federal
14 criminal history and weapons databases to determine whether
15 the individual is prohibited from possessing the firearm or
16 whether the firearm should not be returned to the individual
17 pursuant to state or federal law.

18 (c) The law enforcement officer shall return the
19 firearm to the individual before discharging the individual
20 from the scene if the officer determines that both of the
21 following are fulfilled:

22 (1) The individual is not an immediate threat to the
23 officer, individual, or any other individual.

24 (2) The individual has not committed a violation
25 that results in the arrest of the individual.

26 Section 6. (a) There is created in the State
27 Treasury a fund to be known as the Local Government Pistol

1 Permit Revenue Loss Fund, into which there is automatically
2 appropriated five million dollars (\$5,000,000) annually or so
3 much as necessary to maintain a balance of two million dollars
4 (\$2,000,000) in the fund, at the beginning of each fiscal year
5 for the three fiscal years following the effective date of
6 this section. The fund shall consist of both of the following:

7 (1) All appropriations made to the fund.

8 (2) Any gifts, grants, or donations made to the fund
9 from any source.

10 (b) The Alabama Department of Economic and Community
11 Affairs shall use and expend the fund pursuant to subsection
12 (c). Any necessary expenses of the department in implementing
13 the provisions of this section shall also be paid out of the
14 fund.

15 (c) (1) The Alabama Department of Economic and
16 Community Affairs may make quarterly grants to any county in
17 which the sheriff has provided the required reports as set out
18 in the Minimum Accounting Requirements for the Office of
19 Sheriff established by the Department of Examiners of Public
20 Accounts, specifically regarding the number of pistol permits
21 purchased in that county and the revenue received from pistol
22 permit fees issued pursuant to Section 13A-11-75, Code of
23 Alabama 1975, for fiscal years 2022 and 2023. Any grants
24 awarded to a county pursuant to this subsection may not exceed
25 the amount of revenue received from pistol permit fees by that
26 county in fiscal year 2022, as indicated within the reports to
27 the Department of Examiners of Public Accounts. Any amounts

1 exceeding these revenues shall be remitted back to the Local
2 Government Pistol Permit Revenue Loss fund at the end of each
3 fiscal year. Grant funds shall be used by a county only for
4 the same purposes for which pistol permit fees were authorized
5 to be expended within that county on the effective date of
6 this section.

7 (2) The Department of Economic and Community Affairs
8 shall make grants under this subsection only to an office of
9 sheriff that, at time of submission of a report to the
10 Department of Examiners of Public Accounts pursuant to
11 subdivision (1), has certified in writing that each pistol
12 permit issued by that office of sheriff in the preceding
13 quarter was issued only following completion of a background
14 check through the National Instant Criminal Background Check
15 System (NICS) and that the office of sheriff, within the
16 preceding 12 months, has trained each employee, officer, or
17 agent involved in the issuance of pistol permits on how and
18 when to perform a NICS background check.

19 (d) No later than January 15, 2023, and thereafter
20 on a quarterly basis, the Department of Examiners of Public
21 Accounts shall provide all reports referenced in subsection
22 (c) to the Department of Economic and Community Affairs.

23 (e) This section shall be repealed four years
24 following the effective date of this section. At that time,
25 any monies remaining in the fund that are not committed for
26 the purpose of this section shall be transferred to the State
27 General Fund.

1 (f) No monies may be withdrawn or expended from the
2 fund for any purpose unless the monies have been appropriated
3 by the Legislature. Any monies appropriated shall be budgeted
4 and allotted pursuant to the Budget Management Act in
5 accordance with Article 4 of Chapter 4 of Title 41, and only
6 in the amounts provided by the Legislature in the general
7 appropriations act or other appropriations act, and only for
8 the purposes of this act.

9 (g) Each county receiving grant funds pursuant (c)
10 shall establish a separate fund in the county treasury to
11 account for the grant funds and expenditure of the funds.

12 Section 7. Nothing within Article 3 of Chapter 11 of
13 Title 13A, Code of Alabama 1975, shall be construed to
14 diminish or otherwise affect property rights under state law
15 not within that title.

16 Section 8. (a) Notwithstanding any provision of
17 state law to the contrary, the governing body of each two-year
18 or four-year institution of higher education may adopt
19 policies governing the possession of firearms or other weapons
20 on grounds owned or controlled by the institution. The
21 governing body may not adopt a policy in conflict with federal
22 law.

23 (b) A policy adopted under subsection (a) shall
24 allow for individuals not otherwise prohibited from possession
25 of a firearm by state or federal law to possess a firearm and
26 ammunition for that firearm in the individual's privately
27 owned motor vehicle while parked or operated on the grounds of

1 the institution; provided, that the individual satisfies all
2 of the following conditions:

3 (1) If the firearm is a pistol, the individual is
4 not generally prohibited from possession of a pistol by state
5 or federal law.

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

8 a. The individual possesses a valid Alabama hunting
9 license.

10 b. The firearm is unloaded at all times on the
11 grounds.

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

14 d. The individual has never been convicted of any
15 crime of violence as that term is defined in Section
16 13A-11-70, Code of Alabama 1975, nor of any crime set forth in
17 Chapter 6 of Title 13A, Code of Alabama 1975, nor is subject
18 to a domestic violence order, as that term is defined in
19 Section 13A-6-141, Code of Alabama 1975.

20 e. The individual has no documented prior incidents
21 on the grounds of the institution involving the threat of
22 physical injury or which resulted in physical injury to
23 another.

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

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

1 a. In a motor vehicle attended by the individual,
2 kept from ordinary observation within the individual's motor
3 vehicle.

4 b. In a motor vehicle unattended by the individual,
5 kept from ordinary observation and locked within a
6 compartment, container, or in the interior of the individual's
7 privately owned motor vehicle or in a compartment or container
8 securely affixed to the motor vehicle.

9 (c) It is the intent of the Legislature that
10 constitutionally created boards of trustees of institutions of
11 higher education comply with this section.

12 Section 9. The following sections are hereby
13 repealed:

14 (1) Section 13A-11-55, Code of Alabama 1975,
15 relating to indictments for carrying weapons unlawfully.

16 (2) Section 13A-11-73, Code of Alabama 1975,
17 relating to possession of an unloaded pistol in motor vehicle.

18 Section 10. This act shall not be construed to
19 diminish or otherwise limit the power of a law enforcement
20 officer under existing law to detain, investigate, or arrest a
21 person for a violation of law.

22 Section 11. Although this bill would have as its
23 purpose or effect the requirement of a new or increased
24 expenditure of local funds, the bill is excluded from further
25 requirements and application under Amendment 621, as amended
26 by Amendment 890, now appearing as Section 111.05 of the
27 Official Recompilation of the Constitution of Alabama of 1901,

1 as amended, because the bill defines a new crime or amends the
2 definition of an existing crime.

3 Section 12. This act shall become effective on
4 January 1, 2023, following its passage and approval by the
5 Governor, or its otherwise becoming law.