

1 HB3
2 163008-1
3 By Representatives Jackson and Melton
4 RFD: Public Safety and Homeland Security
5 First Read: 03-MAR-15
6 PFD: 01/15/2015

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8 SYNOPSIS: Under existing law, an individual may not
9 knowingly possess or carry a firearm in certain
10 locations, even if he or she has a permit to carry
11 a concealed pistol.

12 This bill would prohibit an individual from
13 knowingly possessing or carrying a firearm in a
14 place of worship, even if he or she has a permit to
15 carry a concealed pistol.

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17 A BILL
18 TO BE ENTITLED
19 AN ACT

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21 Relating to firearms; to amend Section 13A-11-61.2,
22 Code of Alabama 1975, to prohibit an individual from
23 possessing or carrying a firearm in a place of worship.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 13A-11-61.2, Code of Alabama
26 1975, is amended to read as follows:

27 "§13A-11-61.2.

1 "(a) In addition to any other place limited or
2 prohibited by state or federal law, a person, including a
3 person with a permit issued under Section 13A-11-75(a) (1) or
4 recognized under Section 13A-11-85, may not knowingly possess
5 or carry a firearm in any of the following places without the
6 express permission of a person or entity with authority over
7 the premises:

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

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

14 "(3) Inside or on the premises of a facility which
15 provides inpatient or custodial care of those with
16 psychiatric, mental, or emotional disorders.

17 "(4) Inside a courthouse, courthouse annex, a
18 building in which a District Attorney's office is located, or
19 a building in which a county commission or city council is
20 currently having a regularly scheduled or specially called
21 meeting.

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 "(7) Inside a place of worship used by a bona fide
6 nonprofit religious organization.

7 "(b) Notwithstanding the provisions of subsection
8 (a), a person, including a person with a permit issued under
9 Section 13A-11-75(a)(1) or recognized under Section 13A-11-85,
10 may not, without the express permission of a person or entity
11 with authority over the premises, knowingly possess or carry a
12 firearm inside any building or facility to which access of
13 unauthorized persons and prohibited articles is limited during
14 normal hours of operation by the continuous posting of guards
15 and the use of other security features, including, but not
16 limited to, magnetometers, key cards, biometric screening
17 devices, or turnstiles or other physical barriers.

18 "(c) The person or entity with authority over the
19 premises set forth in subsections (a)(1)-(6) and subsection
20 (b) shall place a notice at the public entrances of such
21 premises or buildings alerting those entering that firearms
22 are prohibited.

23 "(d) Except as provided in subsections (a)(5) and
24 (a)(6), any firearm on the premises of any facility set forth
25 in subsection (a)(1), or subsections (a)(4)-(6), or subsection
26 (b) must be kept from ordinary observation and locked within a
27 compartment or in the interior of the person's motor vehicle

1 or in a compartment or container securely affixed to the motor
2 vehicle.

3 "(e) A violation of subsections (a) or (d) is a
4 Class C misdemeanor.

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

8 "(g) Prohibitions regarding the carrying of a
9 firearm under this section shall not apply to law enforcement
10 officers engaged in the lawful execution of their official
11 duties.

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

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