

1 HB364  
2 116625-1  
3 By Representative Ford  
4 RFD: Commerce  
5 First Read: 19-JAN-10

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8 SYNOPSIS: This bill would prohibit a business entity,  
9 property owner, tenant, or public or private  
10 employer from establishing policies against persons  
11 transporting or storing a firearm or ammunition  
12 when the person is otherwise in compliance with all  
13 other applicable laws under certain conditions.

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15 A BILL  
16 TO BE ENTITLED  
17 AN ACT

18  
19 Relating to firearms or ammunition in motor  
20 vehicles; to prohibit a business entity, property owner,  
21 tenant, or public or private employer from establishing  
22 policies against persons transporting or storing a firearm or  
23 ammunition when the person is otherwise in compliance with all  
24 other applicable laws under certain conditions.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. The Alabama Legislature finds that:

1           (1) Section 26 of the Official ReCompilation of the  
2           Constitution of Alabama of 1901, as amended, and the Second  
3           Amendment to the United States Constitution, protect the right  
4           of an individual to bear arms in self-defense, and this right  
5           is a fundamental right derived from the inherent principle of  
6           self-preservation of individuals who have a need to protect  
7           themselves in both their homes and in their movements  
8           throughout this state.

9           (2) The enjoyment of this right would be impaired if  
10          individuals were deprived of the means of self-defense in  
11          their personal motor vehicles.

12          (3) Individuals are deprived of the means of  
13          self-defense in their personal motor vehicles when property  
14          owners, tenants, employers, or business entities forbid their  
15          invitees, customers, employees, and others who are lawfully  
16          permitted on their property to possess and store firearms in a  
17          locked and privately owned motor vehicle.

18          (4) A locked and privately owned motor vehicle of an  
19          individual is not a public space and an individual has a right  
20          to furnish his or her motor vehicle with items that the  
21          individual may legally possess and that enhance the comfort,  
22          security, ease of movement, and enjoyment of liberty of the  
23          individual.

24          (5) Property owners, tenants, employers, or business  
25          entities that allow privately owned motor vehicles on their  
26          property are not unduly burdened by the presence of legally

1 possessed items that the owner of the motor vehicle has  
2 secured out of sight within the motor vehicle.

3 (6) The passage of this act is for the benefit and  
4 protection of those individuals who choose to exercise and  
5 enforce their fundamental right to bear arms in self-defense  
6 in their movements throughout this state, including in their  
7 personal motor vehicles.

8 Section 2. (a) A business entity, property owner,  
9 tenant, or public or private employer may not establish,  
10 maintain, or enforce a policy or rule that prohibits or has  
11 the effect of prohibiting a person from transporting or  
12 storing a firearm or ammunition when the person is otherwise  
13 in compliance with all other applicable laws and the firearm  
14 or ammunition is locked out of sight within the trunk, glove  
15 box, or other enclosed compartment or area within or on a  
16 privately owned motor vehicle.

17 (b) Any policy or rule that is established or  
18 maintained in violation of subsection (a), or the attempted  
19 enforcement of any policy or rule in violation of subsection  
20 (a) is contrary to public policy, null and void, and without  
21 legal force or effect.

22 (c) Subsection (a) shall not apply to a motor  
23 vehicle that is owned by a business entity, property owner, or  
24 employer while it is being used by agents or employees of the  
25 business entity, property owner, or employer in the course of  
26 their employment or facilities, lands, or property owned,

1       operated, or controlled by any entity engaged in the  
2       generation, transmission, or distribution of electricity.

3               Section 3. This act shall become effective on the  
4       first day of the third month following its passage and  
5       approval by the Governor, or its otherwise becoming law.