

**CS FOR SENATE BILL NO. 174(EDC)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE EDUCATION COMMITTEE

Offered: 2/26/16

Referred: Judiciary, Finance

Sponsor(s): SENATORS KELLY, Dunleavy, McGuire, Giessel, Stoltze

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the regulation of firearms and knives by the University of Alaska."**

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

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS AND INTENT. The legislature finds that the individual right to keep and  
6 bear arms is a constitutionally protected right under art. I, sec. 19, Constitution of the State of  
7 Alaska, and may not be abridged by the Board of Regents of the University of Alaska. The  
8 legislature reserves to the state the authority to regulate firearms, except as specifically  
9 provided in AS 14.40.173.

10 \* **Sec. 2.** AS 14.40 is amended by adding a new section to read:

11 **Sec. 14.40.173. Regulation of firearms and knives.** (a) The authority to  
12 regulate firearms and knives is reserved to the state, and, except as specifically  
13 provided by statute, the Board of Regents may not enact or enforce a policy regulating  
14 the possession, ownership, use, carrying, registration, storage, or transportation of  
15 firearms or knives.

1 (b) The Board of Regents may not regulate the possession, ownership, use,  
2 carrying, registration, storage, or transportation of concealed handguns or knives,  
3 except

4 (1) in a manner identical to state law;

5 (2) when the behavior of a student or an employee demonstrates that  
6 the student or employee poses a risk of harm to self or others;

7 (3) in student dormitories or other shared living quarters;

8 (4) in university facilities where health services, counseling services,  
9 or other services related to sexual harassment or violence are provided;

10 (5) in university facilities during adjudication of staff or student  
11 disciplinary issues; or

12 (6) in restricted access areas under (c)(3) of this section.

13 (c) The Board of Regents may adopt and enforce policies

14 (1) regulating the possession, ownership, use, carrying, registration,  
15 storage, and transportation of openly carried firearms and knives;

16 (2) restricting the discharge of firearms on any portion of university  
17 land where there is a reasonable likelihood that people, domestic animals, or property  
18 will be jeopardized; policies adopted or enforced under this paragraph may not abridge  
19 the right of the individual guaranteed by art. I, sec. 19, Constitution of the State of  
20 Alaska, to bear arms in defense of self or others; and

21 (3) prohibiting the possession of firearms or knives in the restricted  
22 access area of university buildings; the university shall post notice of the prohibition  
23 against possession of firearms or knives at each entrance to the restricted access area.

24 (d) The University of Alaska shall establish a process to allow a person who is  
25 prevented from carrying a concealed handgun or knife under (b)(2) of this section to  
26 regain the ability to carry a concealed handgun or knife on university property.

27 (e) The Board of Regents, the University of Alaska, and any officers,  
28 employees, or agents of the University of Alaska may not create a database or registry  
29 of persons who possess a firearm on campus.

30 (f) The University of Alaska, the Board of Regents, and any officers,  
31 employees, or agents of the University of Alaska are immune from civil liability for

1 any act or omission resulting from a policy or regulation adopted or enforced under  
2 this section by the Board of Regents or the president of the University of Alaska, or a  
3 claim arising from the possession, ownership, use, carrying, registration, or  
4 transportation of firearms or knives by any person.

5 (g) In this section,

6 (1) "concealed handgun" has the meaning given in AS 18.65.790;

7 (2) "firearms" includes firearms, or any other element relating to  
8 firearms or parts of the firearm including ammunition and reloading components;

9 (3) "restricted access area" means the area beyond a secure point  
10 where visitors are screened and does not include common areas of ingress and egress  
11 open to the public.