

1 SB314  
2 204131-3  
3 By Senator Chambliss (N & P)  
4 RFD: Local Legislation  
5 First Read: 12-MAR-20

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Elmore County; to amend Section 3 of Act  
14 2007-325 of the 2007 Regular Session, now appearing as Section  
15 45-26-231.02 of the Code of Alabama 1975, authorizing the  
16 sheriff to sell certain abandoned, stolen, or unclaimed  
17 firearms, to further provide for the sale or trade in of the  
18 firearms to gun dealers licensed in this state.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Section 3 of Act 2007-325 of the 2007  
21 Regular Session, now appearing as Section 45-26-231.02 of the  
22 Code of Alabama 1975, is amended to read as follows:

23 "§45-26-231.02.

24 "(a) The sheriff shall keep and maintain a separate  
25 permanent record of all abandoned and stolen firearms, not  
26 subject to disposition by general law. The records shall state  
27 the description of the firearm, the date of recovery of the

1 firearm, the serial or other identifying number, if any, of  
2 the firearm, and the place of recovery of the firearm. Firearm  
3 as used in this subpart shall have the same meaning as defined  
4 in Section 13A-8-1.

5 "(b) Unless otherwise provided by law, the sheriff  
6 may sell or destroy these firearms if the owner of the firearm  
7 does not claim the firearm within six months of the date the  
8 sheriff obtained it.

9 "(c) The sheriff may sell or trade in the firearms  
10 only to gun dealers who have held an active business license  
11 ~~from Elmore County in this state~~ for at least one year  
12 immediately prior to the date of sale. The sheriff shall  
13 establish a procedure to notify gun dealers of ~~a~~ the guns for  
14 sale or trade in. ~~A firearm shall be sold to the gun dealer~~  
15 ~~submitting the highest sealed bid. All sales shall be on a~~  
16 ~~cash basis. The~~ Any cash proceeds of the sale, after deducting  
17 and paying all expenses incurred in the recovery, maintenance,  
18 and sale of the firearms shall be paid to the office of the  
19 Sheriff of Elmore County.

20 "(d) The sheriff may establish a procedure to  
21 destroy firearms and may expend necessary sheriffs department  
22 funds for that purpose."

23 Section 2. This act shall become effective  
24 immediately following its passage and approval by the  
25 Governor, or its otherwise becoming law.