

SB97 INTRODUCED



1 SB97
2 CRFYQQW-1
3 By Senators Coleman-Madison, Stewart, Hatcher, Figures,
4 Singleton, Smitherman
5 RFD: Judiciary
6 First Read: 14-Feb-24

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4 SYNOPSIS:

5 Under existing law, a minor is not permitted to
6 possess certain firearms.

7 This bill would prohibit individuals from
8 storing a loaded firearm where a reasonable individual
9 would know a minor is likely to gain access to the
10 firearm.

11 This bill would provide a criminal penalty for
12 violating this prohibition.

13 Section 111.05 of the Constitution of Alabama of
14 2022, prohibits a general law whose purpose or effect
15 would be to require a new or increased expenditure of
16 local funds from becoming effective with regard to a
17 local governmental entity without enactment by a 2/3
18 vote unless: it comes within one of a number of
19 specified exceptions; it is approved by the affected
20 entity; or the Legislature appropriates funds, or
21 provides a local source of revenue, to the entity for
22 the purpose.

23 The purpose or effect of this bill would be to
24 require a new or increased expenditure of local funds
25 within the meaning of the section. However, the bill
26 does not require approval of a local governmental
27 entity or enactment by a 2/3 vote to become effective
28 because it comes within one of the specified exceptions



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contained in the section.

A BILL
TO BE ENTITLED
AN ACT

Relating to firearms; to prohibit individuals from storing a loaded firearm where a reasonable individual would know a minor is likely to gain access to the firearm; to provide a criminal penalty for a violation; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) An individual commits the crime of criminally negligent storage of a firearm if he or she, in a criminally negligent manner, stores or leaves a loaded firearm in his or her possession or under his or her control in a location where the individual knows, or reasonably should know, that a minor is likely to gain access to the firearm.

(b) Criminally negligent storage of a firearm is a Class C felony.

(c) Neither of the following shall be construed to have been stored or left in violation of subsection (a):

(1) A firearm stored with a gun lock.

(2) A firearm carried on the person of an individual.



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57 (d) For the purposes of this section, the term "loaded"
58 means a firearm has ammunition in its chamber or magazine, if
59 the magazine is in the firearm, unless the firearm is
60 incapable of being fired.

61 Section 2. Although this bill would have as its purpose
62 or effect the requirement of a new or increased expenditure of
63 local funds, the bill is excluded from further requirements
64 and application under Section 111.05 of the Constitution of
65 Alabama of 2022, because the bill defines a new crime or
66 amends the definition of an existing crime.

67 Section 3. This act shall become effective on October
68 1, 2024.