

1 SB140
2 116232-1
3 By Senator Smitherman
4 RFD: Judiciary
5 First Read: 12-JAN-10

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8 SYNOPSIS: Existing law does not provide that a local
9 board of education may allow persons employed as
10 security personnel by the board to carry firearms
11 while on duty.

12 This bill would authorize a city or county
13 board of education to allow persons employed as
14 security personnel by the board to carry firearms
15 while on duty and would require the employees to
16 have certain qualifications.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 Relating to local boards of education; to authorize
23 a local board to allow persons employed as security personnel
24 by the board to carry firearms while on duty; and to require
25 that the employees have certain qualifications.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. (a) Any provision of the law to the
2 contrary notwithstanding, a city or county board of education
3 may adopt a policy to allow any person employed as security
4 personnel to carry a firearm while on duty, subject to the
5 following requirements:

6 (1) The policy shall prohibit security personnel not
7 certified as law enforcement officers by the Alabama Peace
8 Officers Standards and Training Commission from carrying
9 firearms while on duty in a school during school hours, during
10 a scheduled extracurricular activity on campus, or at any
11 other time that students are scheduled to be on campus and the
12 security personnel have been notified of their presence in
13 advance.

14 (2) The policy shall require any security personnel
15 who carry firearms to have completed the firearms training
16 course required of law enforcement officers by the Alabama
17 Peace Officers Standards and Training Commission, or an
18 equivalent.

19 (3) The policy shall require any security personnel
20 who carry firearms to annually complete and pass the firearm
21 requalification required of law enforcement officers by the
22 Alabama Peace Officers Standards and Training Commission, or
23 an equivalent.

24 (4) The policy shall require any security personnel
25 who carry firearms who are not certified law enforcement
26 officers to obtain a license to carry a pistol pursuant to
27 Section 13A-11-75, Code of Alabama 1975.

1 (5) The policy shall provide that security personnel
2 are employees of the local board of education who exercise
3 judgment in the enforcement of board policies, rules,
4 procedures, and the criminal laws of the state at all times
5 while on duty.

6 (6) The policy shall be adopted in compliance with
7 Section 16-1-30, Code of Alabama 1975.

8 (b) This section does not require a local board of
9 education to adopt a policy to allow persons employed as
10 security personnel to carry firearms.

11 Section 2. This act shall become effective on July
12 1, 2010, following its passage and approval by the Governor,
13 or its otherwise becoming law.