

HB20 INTRODUCED



1 HB20
2 E8YZC9C-1
3 By Representative England
4 RFD: Public Safety and Homeland Security
5 First Read: 06-Feb-24
6 PFD: 01-Dec-23



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SYNOPSIS:

Under existing law, a person has a duty to inform a law enforcement officer that he or she is in possession of a concealed pistol or firearm upon request.

This bill would provide that the failure of an individual to inform a law enforcement officer that he or she is in possession of a concealed pistol or firearm upon request is a Class A misdemeanor.

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

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



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29 contained in the section.

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A BILL

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TO BE ENTITLED

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AN ACT

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36 Relating to firearms; to amend Section 13A-11-95 of the
37 Code of Alabama 1975, to provide that the failure of an
38 individual to inform a law enforcement officer that he or she
39 is in possession of a concealed pistol or firearm under
40 certain circumstances is a Class A misdemeanor; and in
41 connection therewith would have as its purpose or effect the
42 requirement of a new or increased expenditure of local funds
43 within the meaning of Section 111.05 of the Constitution of
44 Alabama of 2022.

45 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

46 Section 1. "§13A-11-95

47 (a) Any person who knowingly possesses a pistol or
48 firearm concealed on or about his or her person or in a
49 vehicle occupied by the person, and who is asked by a law
50 enforcement officer operating in the line or scope of his or
51 her official duties whether he or she is armed with a
52 concealed pistol or firearm, shall immediately inform the law
53 enforcement officer that the person is in possession of a
54 pistol or firearm.

55 (b) A violation of subsection (a) is a Class A
56 misdemeanor."



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

63 Section 3. This act shall become effective on October
64 1, 2024.