

HB13 INTRODUCED



1 HB13
2 AUAES7Q-1
3 By Representative Givan
4 RFD: Judiciary
5 First Read: 04-Feb-25
6 PFD: 08-Jul-24



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SYNOPSIS:

Under existing law, it is a crime to sell, transfer, or otherwise deliver certain firearms to a minor under certain circumstances.

This bill would prohibit the sale or transfer of an assault weapon to any person under 18 years of age.

Also under existing law, a minor is prohibited from possessing certain firearms.

This bill would prohibit any person under 18 years of age from possessing an assault weapon.

This bill would also provide criminal penalties for violations.

A BILL
TO BE ENTITLED
AN ACT

Relating to firearms; to add Section 13A-11-61.4 to the Code of Alabama 1975, to prohibit the sale or delivery of an assault weapon to any person under 18 years of age; to prohibit any person under 18 years of age from possessing an assault weapon; and to provide penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



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29 Section 1. Section 13A-11-61.4 is added to the Code of
30 Alabama 1975, to read as follows:

31 §13A-11-61.4

32 (a) For the purposes of this section, the following
33 terms have the following meanings:

34 (1) ANTIQUE FIREARM. A firearm or replica of a firearm
35 not designed or redesigned for using rim fire or conventional
36 center fire ignition with fixed ammunition and manufactured in
37 or before 1898, including any matchlock, flintlock, percussion
38 cap, or similar type of ignition system and also any firearm
39 using fixed ammunition manufactured in or before 1898, for
40 which ammunition is no longer manufactured in the United
41 States and is not readily available in the ordinary channels
42 of commercial trade.

43 (2) ASSAULT WEAPON. a. A weapon that is:

44 1. A semiautomatic rifle that has the capacity to
45 accept a detachable magazine and has one or more of the
46 following:

47 (i) A pistol grip that protrudes conspicuously beneath
48 the action of the weapon.

49 (ii) A thumbhole stock.

50 (iii) A folding or telescoping stock.

51 (iv) A second handgrip or a protruding grip that can be
52 held by the nontrigger hand.

53 (v) A flash suppressor, muzzle break, muzzle
54 compensator, or threaded barrel designed to accommodate a
55 flash suppressor, muzzle break, or muzzle compensator.

56 (vi) A grenade launcher or flare launcher.



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57 2. A semiautomatic pistol or a semiautomatic,
58 centerfire, or rimfire rifle with a fixed magazine that has
59 the capacity to accept more than 10 rounds of ammunition.

60 3. A semiautomatic pistol that has the capacity to
61 accept a detachable magazine and has one or more of the
62 following:

63 (i) Any feature capable of functioning as a protruding
64 grip that can be held by the nontrigger hand.

65 (ii) A threaded barrel capable of accepting a flash
66 suppressor, forward handgrip, or silencer.

67 (iii) A shroud attached to the barrel, or that
68 partially or completely encircles the barrel, allowing the
69 bearer to hold the firearm with the nontrigger hand without
70 being burned, but excluding a slide that encloses the barrel.

71 (iv) The capacity to accept a detachable magazine at
72 any location outside of the pistol grip.

73 4. A semiautomatic, centerfire, or rimfire rifle that
74 has an overall length of less than 30 inches.

75 5. A semiautomatic shotgun that has all of the
76 following:

77 (i) A pistol grip that protrudes conspicuously beneath
78 the action of the weapon, thumbhole stock, or vertical
79 handgrip.

80 (ii) A folding or telescoping stock.

81 (iii) An ability to accept a detachable magazine.

82 6. A shotgun with a revolving cylinder.

83 7. A conversion kit, part, or combination of parts from
84 which an assault weapon can be assembled if those parts are in



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85 the possession or under the control of the same person.

86 8. A machine gun or any part or combination of parts
87 designed or intended to convert a firearm into a machine gun.

88 b. The term does not include an antique firearm, any
89 firearm that has been made permanently inoperable, or any
90 firearm that is manually operated by bolt, pump, lever, or
91 slide action.

92 (3) CAPACITY TO ACCEPT MORE THAN 10 ROUNDS. Capable of
93 accommodating more than 10 rounds, but shall not be construed
94 to include a feeding device that has been permanently altered
95 so that it cannot accommodate more than 10 rounds.

96 (4) FIREARM. Has the same meaning as provided in
97 Section 13A-8-1.

98 (5) MACHINE GUN. Any firearm that shoots, is designed
99 or intended to shoot, or can be readily restored to shoot more
100 than one shot automatically without manual reloading and by a
101 single function of the trigger.

102 (6) MAGAZINE. Any ammunition feeding device.

103 (7) PERSON. A natural person as well as any firm,
104 partnership, association, or corporation.

105 (8) PISTOL. Has the same meaning as provided in Section
106 13A-11-70.

107 (9) RIFLE. Has the same meaning as provided in Section
108 13A-11-62.

109 (10) SALE. The actual approval of the delivery of a
110 firearm in consideration of payment or promise of payment.

111 (11) SHOTGUN. Has the same meaning as provided in
112 Section 13A-11-62.



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113 (12) TRANSFER. The intended delivery of a firearm to
114 another person without consideration of payment or promise of
115 payment including, but not limited to, gifts and loans.

116 (b) Notwithstanding this article, a person commits the
117 crime of sale or transfer of an assault weapon to any person
118 under 18 years of age when he or she sells or transfers an
119 assault weapon to a person under 18 years of age. The crime of
120 sale or transfer of an assault weapon to any person under 18
121 years of age is a Class B felony.

122 (c) Notwithstanding this article, a person commits the
123 crime of underage possession of an assault weapon when he or
124 she is under 18 years of age and possesses an assault weapon.
125 The crime of underage possession of an assault weapon is a
126 Class C felony.

127 (d) This section is supplemental to any other law and
128 the penalties provided in this section are in addition to any
129 other penalties provided by law. This section shall not be
130 construed to limit or in any way reduce the minimum and
131 maximum penalties provided in any other law.

132 Section 2. This act shall become effective on October
133 1, 2025.