

1 HB292
2 202521-7
3 By Representatives Standridge, Harbison, Shedd, Ledbetter,
4 Drake, Rafferty, Carns and Oliver
5 RFD: Military and Veterans Affairs
6 First Read: 02-FEB-21

SYNOPSIS: Under existing law, a retired military veteran may be issued a pistol permit without the payment of a fee.

This bill would also authorize an active member of the U.S. Armed Forces and an honorably discharged veteran to also be issued a pistol permit without the payment of a fee.

A BILL
TO BE ENTITLED
AN ACT

Relating to pistol permits; to amend Section 13A-11-75.1, of the Code of Alabama 1975, as amended by Act 2019-525 of the 2019 Regular Session, providing for the issuance of a pistol permit to a retired military veteran without the payment of a fee, to further authorize an active member of the U.S. Armed Forces and a honorably discharged veteran to be issued a pistol permit without the payment of a fee.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 13A-11-75.1, Code of Alabama
3 1975, as amended by Act 2019-525 of the 2019 Regular Session,
4 is further amended to read as follows:

5 "§13A-11-75.1.

6 "~~(a) The words retired military veteran as used in~~
7 ~~this section, unless the context clearly requires a different~~
8 ~~meaning, means only those persons who are retirees from active~~
9 ~~duty in the Army, or the Navy, or the Marine Corps, or the Air~~
10 ~~Force, or the Coast Guard of the United States or any reserve~~
11 ~~or National Guard component thereof. For the purposes of this~~
12 ~~section, the following words have the following meanings:~~

13 "(1) HONORABLY DISCHARGED VETERAN. A person who has
14 been honorably discharged from the U.S. Armed Forces as
15 evidenced by the veteran's DD-214 form, or if the veteran does
16 not have a DD-214 form, as evidenced by the Veteran's Record
17 and Report of Separation Honorable Discharge Record.

18 "(2) MEMBER OF THE U.S. ARMED FORCES. An active
19 member of the U.S. Armed Forces as evidenced by a current
20 valid U.S. Military Identification.

21 "(3) RETIRED MILITARY VETERAN. A person who is
22 retired from active duty in the U.S. Armed Forces as evidenced
23 by a U.S. government issued Veteran Identification Card or
24 Veteran's DD-214 form.

25 "(4) U.S. ARMED FORCES. The Army, Navy, Marine
26 Corps, Air Force, Coast Guard of the United States, or any
27 reserve or National Guard component thereof.

1 "(b) (1) Any member of the U.S. Armed Forces, an
2 honorable discharged veteran, or any retired military veteran
3 who meets the conditions for issuance of a pistol permit
4 pursuant to Section 13A-11-75 shall be eligible to obtain the
5 pistol permit without paying a fee for the permit. Upon
6 approval of the pistol permit application, the pistol permit
7 shall be issued by the sheriff of the county in which the
8 veteran resides ~~upon presentation by the.~~

9 "(2) In order to obtain a pistol permit under this
10 section, a retired military veteran of the United States Armed
11 Forces ~~government issued Veteran Identification Card or a~~
12 ~~DD-214 Proof of Military Service form and~~ shall present
13 sufficient proof that the person is a military retiree, an
14 active member of the U.S. Armed Forces shall present proof of
15 his or her current status as an active member of the U.S.
16 Armed Forces, and an honorably discharged veteran shall
17 present proof that he or she has been honorably discharged
18 from the U.S. Armed Forces.

19 "(3) The retired military veteran shall holder of
20 the pistol permit issued under this section may apply for
21 renewal as required by law, but shall be eligible to obtain
22 renewed pistol permits without paying a fee as long as he or
23 she meets the conditions for renewal of the permit.

24 "(c) In the event an active member of the U.S. Armed
25 Forces, a person who has been honorably discharged from the
26 U.S. Armed Forces, or a retired veteran, to whom a pistol
27 permit has been issued pursuant to subsection (b), is

1 ~~suspected of or is charged with or~~ convicted of a felony
2 involving moral turpitude, as defined in Section 17-3-30.1,
3 domestic violence in the first degree, as defined in Section
4 13A-6-130, or domestic violence in the second degree, as
5 defined in Section 13A-6-131, then the sheriff of the county
6 in which the ~~retired veteran~~ holder of the pistol permit
7 resides may revoke the pistol permit. The sheriff shall notify
8 the ~~retired veteran~~ holder of the pistol permit in writing and
9 by registered mail that his or her pistol permit is revoked.
10 The sheriff shall state the reasons for the revocation and
11 order the ~~retiree~~ holder of the pistol permit to return his or
12 her pistol permit to that sheriff within 30 days. Should the
13 ~~retired veteran~~ holder of the pistol permit refuse to return
14 the pistol permit within the 30-day limit and continue to
15 carry the handgun, he or she shall be guilty of carrying a
16 weapon without a license or carrying a concealed weapon,
17 whichever might be the case.

18 "(d) In the event that any active duty member of the
19 U.S. Armed Forces resigns from his or her duties as an active
20 duty member of the U.S. Armed Forces without being honorably
21 discharged or is dishonorably discharged from the U.S. Armed
22 Forces, the former member shall immediately forfeit his or her
23 permit obtained under this section and shall return the permit
24 to the sheriff within 30 days. If the former member of the
25 U.S. Armed Forces who resigned or was dishonorably discharged
26 fails to return the pistol permit within the 30-day time
27 period and continues to carry a pistol, the former member

1 shall be guilty of carrying a weapon without a license or
2 carrying a concealed weapon, as appropriate."

3 Section 2. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.