

SB116 INTRODUCED



1 SB116
2 RJIDMMY-1
3 By Senator Barfoot
4 RFD: Judiciary
5 First Read: 05-Feb-25

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SYNOPSIS:

Under existing law, persons are prohibited from possessing certain firearms.

This bill would prohibit persons from possessing a part or combination of parts designed or intended to convert a pistol into a machine gun.

This bill would also provide criminal penalties for violations.

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 amendment. However, the bill does not require approval of a local governmental entity or enactment by a 2/3 vote to become effective because it came within one of the specified exceptions contained in the amendment.

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A BILL

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TO BE ENTITLED

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AN ACT

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34 Relating to firearms; to prohibit persons from
35 possessing a part or combination of parts designed or
36 intended to convert a pistol into a machine gun; and to
37 provide penalties for violations.

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BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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Section 1. (a) For the purposes of this section, the
40 term "machine gun" means any weapon which shoots, is
41 designed to shoot, or can be readily restored to shoot,
42 automatically more than one shot, without manual reloading,
43 by a single function of the trigger. The term shall include
44 the frame or receiver of any such weapon, any part designed
45 and intended solely and exclusively, or combination of parts
46 designed and intended, for use in converting a weapon into a
47 machine gun, and any combination of parts from which a
48 machine gun can be assembled if such parts are in the
49 possession or under the control of a person.

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(b) No person shall knowingly own or have in his or her
51 possession, control, care, or custody a part or combination
52 of parts designed or intended to convert a pistol into a
53 machine gun.

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(c) A violation of this section is a Class C felony.

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(d) This section does not apply to any of the
56 following:

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57 (1) A state or local law enforcement officer while
58 acting in an official capacity.

59 (2) A person who owns or has in his or her possession,
60 control, care, or custody a firearm, part, or combination of
61 parts that are registered in the National Firearms
62 Registration and Transfer Record maintained by the Bureau of
63 Alcohol, Tobacco, Firearms, and Explosives or is otherwise
64 not subject to that registration requirement.

65 (3) Any part, combination of parts, or device designed
66 or intended to increase a pistol's rate of fire but that
67 does not enable a semiautomatic pistol to fire more than two
68 shots, without manual reloading, by a single function of the
69 trigger.

70 Section 2. Although this bill would have as its purpose
71 or effect the requirement of a new or increased expenditure of
72 local funds, the bill is excluded from further requirements
73 and application under Section 111.05 of the Constitution of
74 Alabama of 2022, because the bill defines a new crime or
75 amends the definition of an existing crime.

76 Section 3. This act shall become effective on October
77 1, 2025.