

HOUSE BILL NO. 372

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE EASTMAN

Introduced: 2/20/24

Referred: Community and Regional Affairs, State Affairs

A BILL

FOR AN ACT ENTITLED

1 **"An Act prohibiting the use of state or municipal assets to enforce law related to**
2 **firearms; and relating to actions against the state or a municipality."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 SHORT TITLE. This Act may be known as the Second Amendment Preservation Act.

7 * **Sec. 2.** AS 44.99 is amended by adding a new section to read:

8 **Sec. 44.99.515. Prohibition on enforcement.** (a) A state or municipal agency
9 may not knowingly enforce, attempt to enforce, participate in the enforcement or
10 implementation of, or comply with a request to provide material aid or support to
11 another in the enforcement or implementation of an order of the President of the
12 United States, a federal regulation, or a law enacted by the United States Congress
13 relating to firearms, firearm accessories, or ammunition if the enforcement or
14 implementation is against a law-abiding citizen.

1 (b) Notwithstanding AS 09.50.250 and AS 09.65.070, a law-abiding citizen
2 may bring a civil action for injunctive relief in superior court if the law-abiding citizen
3 is adversely affected by a violation of (a) of this section.

4 (c) A violation of (a) of this section is punishable by a fine of \$50,000 for each
5 violation.

6 (d) A state or municipal agency is subject to a fine of \$50,000 for each
7 employee if the state or municipal agency knowingly employs a former federal
8 employee or person who acted under federal law, and that employee commits or
9 previously committed a violation of (a) of this section.

10 (e) It is not a violation of (a) of this section for a person to

11 (1) provide aid to a federal peace officer in pursuit of a suspect if

12 (A) there is a criminal nexus with another state; and

13 (B) the suspect is not a citizen of the state or present in the
14 state;

15 (2) provide aid to a federal prosecutor for a felony violation involving
16 a controlled substance or an offense against the person if

17 (A) the prosecution includes a weapons offense similar to
18 conduct that is illegal under state statute; and

19 (B) the weapons offense is not secondary to the controlled
20 substance or offense against the person charge; or

21 (3) accept federal assistance for the enforcement of state statute.

22 (f) In this section,

23 (1) "knowingly" has the meaning given in AS 11.81.900(a);

24 (2) "law-abiding citizen" means a person legally present in the state
25 and the United States who is not precluded under state law from possessing a firearm;

26 (3) "material aid" includes voluntarily providing lodging,
27 communications equipment, or services, including social media accounts, facilities,
28 weapons, personnel, transportation, clothing, or other physical assets; "material aid"
29 does not include providing medical supplies or materials or assisting a person to
30 escape a serious and present risk of life-threatening injury;

31 (4) "state or municipal agency" means a department, institution, board,

1 commission, division, council, committee, authority, public corporation, school
2 district, regional educational attendance area, or other administrative unit of a
3 municipality or of the executive, judicial, or legislative branch of state government,
4 including employees of those entities.

5 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
6 read:

7 **APPLICABILITY.** AS 44.99.515, enacted by sec. 2 of this Act, applies to violations
8 of AS 44.99.515(a) occurring on or after the effective date of this Act.