

1 HB435
2 191778-3
3 By Representatives Ainsworth, Williams (JW), Shedd, Whorton
4 (I), Wadsworth, Whorton (R), Fridy, Drake, Butler, Hanes,
5 Martin, Ledbetter, Crawford, Ford, Black, Holmes (M), Fincher,
6 Mooney, Moore (B), Greer, Lindsey, Rich, Hurst, Tuggle,
7 Millican, Ball, Williams (P), Sanderford, Standridge, Henry,
8 Nordgren, Wilcox and Johnson (K)
9 RFD: Public Safety and Homeland Security
10 First Read: 20-FEB-18

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8 SYNOPSIS: Under existing law, law enforcement officers
9 and certain persons issued a license to carry a
10 concealed weapon are permitted to carry a deadly
11 weapon, or firearm, on K-12 school property.

12 This bill would authorize persons employed
13 as administrative personnel or teachers, with
14 certain qualifications, to carry a pistol while on
15 school property.

16 This bill would also provide for
17 communication with local law enforcement and civil
18 immunity.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT

23
24 Relating to public K-12 education; to authorize
25 persons employed as administrative personnel or teachers to
26 carry a pistol while on school property; to require those
27 employees to satisfy certain qualifications before being

1 authorized; to provide for communication with local law
2 enforcement; and to provide for civil immunity.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) For the purposes of this section, the
5 following terms shall have the following meanings:

6 (1) PISTOL. Any firearm with a barrel less than 12
7 inches in length.

8 (2) SCHOOL ADMINISTRATOR. A local superintendent of
9 education or the principal or vice principal of a public K-12
10 school.

11 (3) TEACHER. A certificated person who provides
12 instruction for students in a public K-12 school.

13 (b) Any provision of law to the contrary
14 notwithstanding, any person employed as a school administrator
15 or a teacher may carry a pistol while on school property if he
16 or she satisfies all of the following qualifications:

17 (1) Possesses a valid pistol permit issued pursuant
18 to Section 13A-11-75, Code of Alabama 1975.

19 (2) Has successfully completed a 40-hour course in
20 basic school policing in a program approved by the Alabama
21 Peace Officers' Standards and Training Commission. The
22 training shall include, but not be limited to, instruction in
23 crisis management, active shooter scenarios, and hostile
24 situations.

25 (3) Annually completes and passes the firearm
26 requalification required of law enforcement officers by the
27 Alabama Peace Officers' Standards and Training Commission.

1 (4) Certifies to the Alabama Peace Officers'
2 Standards and Training Commission, that he or she has never
3 been diagnosed as having, or undergone treatment for, a mental
4 illness or psychotic condition.

5 (c) The cost of the pistol and ammunition shall be
6 at the expense of the person seeking authorization and not the
7 employing local board of education or school.

8 (d) For the safety of law enforcement officers,
9 other first responders, school faculty and staff, and the
10 person carrying the pistol pursuant to this section, the
11 administrative head of each public school shall compile a list
12 of each person qualified and authorized to carry a pistol on
13 the property of the public school and transmit the list to the
14 appropriate law enforcement agency. The list shall be
15 confidential, conspicuously marked as confidential, and not
16 further disclosed or made available for public inspection.

17 (e) Any school administrator or teacher who carries
18 and uses a pistol on school property in compliance with this
19 act is immune from civil liability in accordance with Section
20 36-1-12, Code of Alabama 1975.

21 (f) Nothing in this section shall be construed to
22 affect the rights of any citizen to lawfully possess or carry
23 a pistol or other firearm on school property pursuant to state
24 or federal law.

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

