HOUSE BILL NO. 33

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE NEUMAN

Introduced: 1/7/13
Referred: Prefiled

A BILL

FOR AN ACT ENTITLED

"An Act adding definitions of 'gravity knife' and 'switchblade' to the criminal law; and relating to reserving the authority to regulate knives to the state with limited exceptions for municipalities to regulate knives."

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

* Section 1. AS 11.81.900(b) is amended by adding new paragraphs to read:

(65) "gravity knife" means any knife that has a blade that opens or releases a blade from its handle or sheath by the force of gravity or by the application of centrifugal force; "gravity knife" does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure that requires a person to apply exertion to the blade by hand, wrist, or arm to overcome the bias toward closure and open or release the blade;

(66) "switchblade" means any knife that has a blade that folds, closes, or retracts into the handle or sheath that opens automatically by pressure applied to a button or other device located on the handle or sheath; "switchblade" does not include
a knife that has a spring, detent, or other mechanism designed to create a bias toward
closure that requires exertion applied to the blade by hand, wrist, or arm to overcome
the bias toward closure and open the blade.

* Sec. 2. AS 29.10.200(40) is amended to read:

(40) AS 29.35.145 (regulation of firearms and knives);

* Sec. 3. AS 29.35.145(a) is amended to read:

(a) The authority to regulate firearms and knives is reserved to the state, and,
except as specifically provided by statute, a municipality may not enact or enforce an
ordinance regulating the possession, ownership, sale, transfer, use, carrying, transportation, licensing, taxation, or registration of firearms or knives.

* Sec. 4. AS 29.35.145(b) is amended to read:

(b) Municipalities may enact and enforce ordinances

(1) that are identical to state law and that have the same penalty as
provided for by state law;

(2) restricting the discharge of firearms in any portion of their
respective jurisdictions where there is a reasonable likelihood that people, domestic
animals, or property will be jeopardized; ordinances enacted or enforced under this
paragraph may not abridge the right of the individual guaranteed by art. I, sec. 19,
Constitution of the State of Alaska, to bear arms in defense of self or others;

(3) restricting the areas in their respective jurisdictions in which
firearms or knives may be sold; a business selling firearms or knives may not be
treated more restrictively than other businesses located within the same zone; and

(4) prohibiting the possession of firearms or knives in the restricted
access area of municipal government buildings; the municipal assembly shall post
notice of the prohibition against possession of firearms or knives at each entrance to
the restricted access area.