

1 HB36
2 180166-2
3 By Representative Greer
4 RFD: Judiciary
5 First Read: 07-FEB-17
6 PFD: 01/11/2017

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, there is no provision
9 for a church or place of worship to establish a
10 security program with armed personnel for the
11 protection of the congregation of the church or
12 place of worship.

13 This bill would create the Alabama Church
14 Protection Act to authorize the governing body of
15 any church or place of worship to establish a
16 security program by which designated members are
17 authorized to carry firearms for the protection of
18 the congregation of the church or place of worship.
19 This bill would require the Alabama Peace Officers'
20 Training Commission to develop and disseminate the
21 curriculum for members of church protection
22 programs to local law enforcement agencies
23 throughout the state, which would administer and
24 certify the training of members of all church
25 protection programs. This bill would provide
26 limited immunity for members of such a program when

1 acting within the scope of duty as a member of a
2 church protection program.

3
4 A BILL
5 TO BE ENTITLED
6 AN ACT

7
8 To create the Alabama Church Protection Act; to
9 provide guidelines for the establishment of protection
10 programs for churches and places of worship; to require the
11 Alabama Peace Officers' Training Commission to develop and
12 disseminate the curriculum for the training of members of
13 church protection programs; to require local law enforcement
14 agencies to administer the training and certify participants
15 in the church protection programs; and to provide civil and
16 criminal immunity for participants in the programs for acts
17 within the scope of their duty as a member of the program.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. This act shall be known and may be cited
20 as the Alabama Church Protection Act.

21 Section 2. (a) (1) The governing body of any church
22 or place of worship may establish a protection program by
23 which designated members are authorized to carry firearms for
24 the protection of the members or attendees and property of the
25 church or place of worship.

26 (2) Any church or place of worship that establishes
27 a protection program that meets the requirements of subsection

1 (b) and any member of the program shall be immune from civil
2 liability for any action taken by a member of the program if
3 the action occurs during the course and scope of the member's
4 performance of his or her duties as a member of the program.

5 (b) In order to be eligible for the immunity
6 provided in this section, a security program shall contain
7 both of the following:

8 (1) A requirement that each participant in the
9 program have a pistol permit issued under Section 13A-11-75,
10 Code of Alabama 1975.

11 (2) A requirement that each participant complete an
12 instructional course in the safe handling and use of firearms
13 developed and disseminated to local law enforcement agencies
14 by the Alabama Peace Officers' Training Commission.

15 (c) A person who is indicted or charged with a
16 violation of a criminal law while acting in his or her
17 capacity as a member of a security program of a church or
18 place of worship may assert as a defense, in addition to any
19 other defense available, that at the time of the action in
20 question, he or she was a member of a church or place of
21 worship security program, was then actually engaged in the
22 performance of his or her duties as a member of such program,
23 and met the requirements of this section at the time of the
24 action.

25 (d) Nothing in this section shall be construed to
26 permit a person to disregard any federal law or regulation
27 pertaining to the purchase or possession of a firearm.

1 (e) For purposes of this section, "church or place
2 of worship" means a bona fide duly constituted religious
3 society or ecclesiastical body, or any congregation thereof,
4 that was operating as such at the time of any action taken by
5 a member of that body's security program as a member of the
6 program.

7 Section 3. (a) The Alabama Peace Officers' Training
8 Commission shall develop the curriculum for all church
9 protection programs and disseminate it to local law
10 enforcement agencies throughout the state.

11 (b) The church protection program curriculum shall
12 provide instruction for the following subjects at a minimum:

13 (1) Safe handling of firearms.

14 (2) Basic firearms marksmanship fundamentals.

15 (3) Section 2 of the Alabama Church Protection Act.

16 (c) Local law enforcement agencies shall administer
17 all training and certifications of church protection programs
18 in its jurisdiction using the curriculum developed and
19 disseminated by the Alabama Peace Officers' Training
20 Commission.

21 (d) Local law enforcement agencies shall maintain
22 records for all training and certifications of church
23 protection programs for a period of not less than seven years.

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