

1 SB390  
2 212700-2  
3 By Senator Gudger (Constitutional Amendment)  
4 RFD: Governmental Affairs  
5 First Read: 13-APR-21

8 SYNOPSIS: Under existing law, the sheriff of a county  
9 may issue a permit authorizing a person to carry a  
10 pistol in a motor vehicle or concealed on or about  
11 his or her person. The term of a pistol permit is  
12 one to five years, and the cost of a pistol permit  
13 is established by local law.

14 This bill would propose an amendment to the  
15 Constitution of Alabama of 1901 relating to Cullman  
16 County, to provide that the sheriff may not charge  
17 any fee to a resident of the county for issuance,  
18 renewal, or replacement of any pistol permit.

19 The amendment would allow an applicant for a  
20 pistol permit, at time of application, to make a  
21 donation to the sheriff's office. The donations  
22 would be deposited into a discretionary fund for  
23 use by the sheriff for law enforcement purposes.

24 The amendment would also provide that the  
25 Sheriff of Cullman County shall not be required to  
26 send any person any information relating to pistol

1                   permits or persons prohibited from possession of a  
2                   firearm, with exceptions.

3  
4                                   A BILL  
5                                   TO BE ENTITLED  
6                                   AN ACT

7  
8                   Relating to Cullman County; to propose an amendment  
9                   to the Constitution of Alabama of 1901, to provide that the  
10                  sheriff may not charge a fee to any county resident for  
11                  issuance, renewal, or replacement of a pistol permit; to  
12                  provide that an applicant for a pistol permit may make a  
13                  donation to the sheriff at time of application; and to provide  
14                  that the sheriff shall not be required to send any information  
15                  relating to pistol permits or persons prohibited from  
16                  possession of a firearm, with exceptions.

17                  BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18                  Section 1. The following amendment to the  
19                  Constitution of Alabama of 1901, is proposed and shall become  
20                  valid as a part of the Constitution when all requirements of  
21                  this act are fulfilled:

22                                   PROPOSED AMENDMENT

23                  (a) This amendment shall apply only to Cullman  
24                  County.

25                  (b) The sheriff may not charge any fee to any  
26                  resident of the county for the issuance, renewal, or  
27                  replacement of a pistol permit.

1           (c) An applicant for a pistol permit, at time of  
2 application, may make a donation of any amount to the  
3 sheriff's office. Any donations received under this  
4 subdivision shall be deposited into a pistol permit  
5 discretionary fund to be used by the sheriff's office for law  
6 enforcement purposes, and may not be transferred to any other  
7 fund.

8           (d) The sheriff shall not be required to send any  
9 person any information relating to pistol permits or persons  
10 prohibited from possession of a firearm, except when required  
11 by federal law or court order.

12           (e) This amendment shall not be construed to create  
13 any requirement to possess a pistol permit within the county,  
14 nor to authorize the sheriff to issue, renew, or replace any  
15 pistol permit other than a pistol permit established by  
16 general law.

17           Section 2. An election upon the proposed amendment  
18 shall be held in accordance with Section 284.01 of the  
19 Constitution of Alabama of 1901, now appearing as Section  
20 284.01 of the Official ReCompilation of the Constitution of  
21 Alabama of 1901, as amended, and the election laws of this  
22 state.

23           Section 3. The appropriate election official shall  
24 assign a ballot number for the proposed constitutional  
25 amendment on the election ballot and shall set forth the  
26 following description of the substance or subject matter of  
27 the proposed constitutional amendment:

1                   "Relating to Cullman County, proposing an amendment  
2 to the Constitution of Alabama of 1901, to provide that the  
3 sheriff may not charge any fee for the issuance, renewal, or  
4 replacement of a pistol permit; to provide that applicants for  
5 pistol permits may make a donation to the sheriff's office;  
6 and to provide that the sheriff shall not be required to send  
7 any person any information relating to pistol permits or  
8 persons prohibited from possession of a firearm, except when  
9 required by federal law or court order.

10                   "Proposed by Act \_\_\_\_\_"

11                   This description shall be followed by the following  
12 language:

13                   "Yes ( ) No ( )."