

# SB97 INTRODUCED



1 SB97  
2 CRFYQQW-1  
3 By Senators Coleman-Madison, Stewart, Hatcher, Figures,  
4 Singleton, Smitherman  
5 RFD: Judiciary  
6 First Read: 14-Feb-24



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SYNOPSIS:

Under existing law, a minor is not permitted to possess certain firearms.

This bill would prohibit individuals from storing a loaded firearm where a reasonable individual would know a minor is likely to gain access to the firearm.

This bill would provide a criminal penalty for violating this prohibition.

Section 111.05 of the Constitution of Alabama of 2022, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by a 2/3 vote unless: it comes within one of a number of specified exceptions; it is approved by the affected entity; or the Legislature appropriates funds, or provides a local source of revenue, to the entity for the purpose.

The purpose or effect of this bill would be to require a new or increased expenditure of local funds within the meaning of the section. However, the bill does not require approval of a local governmental entity or enactment by a 2/3 vote to become effective because it comes within one of the specified exceptions



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29 contained in the section.

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A BILL

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TO BE ENTITLED

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AN ACT

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36 Relating to firearms; to prohibit individuals from  
37 storing a loaded firearm where a reasonable individual would  
38 know a minor is likely to gain access to the firearm; to  
39 provide a criminal penalty for a violation; and in connection  
40 therewith would have as its purpose or effect the requirement  
41 of a new or increased expenditure of local funds within the  
42 meaning of Section 111.05 of the Constitution of Alabama of  
43 2022.

44 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

45 Section 1. (a) An individual commits the crime of  
46 criminally negligent storage of a firearm if he or she, in a  
47 criminally negligent manner, stores or leaves a loaded firearm  
48 in his or her possession or under his or her control in a  
49 location where the individual knows, or reasonably should  
50 know, that a minor is likely to gain access to the firearm.

51 (b) Criminally negligent storage of a firearm is a  
52 Class C felony.

53 (c) Neither of the following shall be construed to have  
54 been stored or left in violation of subsection (a):

55 (1) A firearm stored with a gun lock.

56 (2) A firearm carried on the person of an individual.



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57 (d) For the purposes of this section, the term "loaded"  
58 means a firearm has ammunition in its chamber or magazine, if  
59 the magazine is in the firearm, unless the firearm is  
60 incapable of being fired.

61 Section 2. Although this bill would have as its purpose  
62 or effect the requirement of a new or increased expenditure of  
63 local funds, the bill is excluded from further requirements  
64 and application under Section 111.05 of the Constitution of  
65 Alabama of 2022, because the bill defines a new crime or  
66 amends the definition of an existing crime.

67 Section 3. This act shall become effective on October  
68 1, 2024.