

1 SB360
2 116625-2
3 By Senator Bedford
4 RFD: Finance and Taxation General Fund
5 First Read: 02-FEB-10

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8 SYNOPSIS: This bill would prohibit a business entity,
9 property owner, tenant, or public or private
10 employer from establishing policies against persons
11 transporting or storing a firearm or ammunition
12 when the person is otherwise in compliance with all
13 other applicable laws under certain conditions.

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT

18
19 Relating to firearms or ammunition in motor
20 vehicles; to prohibit a business entity, property owner,
21 tenant, or public or private employer from establishing
22 policies against persons transporting or storing a firearm or
23 ammunition when the person is otherwise in compliance with all
24 other applicable laws under certain conditions.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. The Alabama Legislature finds that:

1 (1) Section 26 of the Official ReCompilation of the
2 Constitution of Alabama of 1901, as amended, and the Second
3 Amendment to the United States Constitution, protect the right
4 of an individual to bear arms in self-defense, and this right
5 is a fundamental right derived from the inherent principle of
6 self-preservation of individuals who have a need to protect
7 themselves in both their homes and in their movements
8 throughout this state.

9 (2) The enjoyment of this right would be impaired if
10 individuals were deprived of the means of self-defense in
11 their personal motor vehicles.

12 (3) Individuals are deprived of the means of
13 self-defense in their personal motor vehicles when property
14 owners, tenants, employers, or business entities forbid their
15 invitees, customers, employees, and others who are lawfully
16 permitted on their property to possess and store firearms in a
17 locked and privately owned motor vehicle.

18 (4) A locked and privately owned motor vehicle of an
19 individual is not a public space and an individual has a right
20 to furnish his or her motor vehicle with items that the
21 individual may legally possess and that enhance the comfort,
22 security, ease of movement, and enjoyment of liberty of the
23 individual.

24 (5) Property owners, tenants, employers, or business
25 entities that allow privately owned motor vehicles on their
26 property are not unduly burdened by the presence of legally

1 possessed items that the owner of the motor vehicle has
2 secured out of sight within the motor vehicle.

3 (6) The passage of this act is for the benefit and
4 protection of those individuals who choose to exercise and
5 enforce their fundamental right to bear arms in self-defense
6 in their movements throughout this state, including in their
7 personal motor vehicles.

8 Section 2. (a) A business entity, property owner,
9 tenant, or public or private employer may not establish,
10 maintain, or enforce a policy or rule that prohibits or has
11 the effect of prohibiting a person from transporting or
12 storing a firearm or ammunition when the person is otherwise
13 in compliance with all other applicable laws and the firearm
14 or ammunition is locked out of sight within the trunk, glove
15 box, or other enclosed compartment or area within or on a
16 privately owned motor vehicle.

17 (b) Any policy or rule that is established or
18 maintained in violation of subsection (a), or the attempted
19 enforcement of any policy or rule in violation of subsection
20 (a) is contrary to public policy, null and void, and without
21 legal force or effect.

22 (c) Subsection (a) shall not apply to a motor
23 vehicle that is owned by a business entity, property owner, or
24 employer while it is being used by agents or employees of the
25 business entity, property owner, or employer in the course of
26 their employment, nor shall it apply to the facilities, lands,
27 or property owned, operated, or controlled by any entity

1 engaged in the generation, transmission, or distribution of
2 electricity.

3 Section 3. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.