

- 1 HB36
- 2 9H36BBP-1
- 3 By Representative Ensler
- 4 RFD: Judiciary
- 5 First Read: 06-Feb-24
- 6 PFD: 12-Jan-24



1 2 3 4 SYNOPSIS: 5 This bill would prohibit persons from possessing 6 any part or combination of parts designed or intended 7 to convert a firearm into a machine gun. This bill would also provide penalties for 8 9 violating this prohibition. Section 111.05 of the Constitution of Alabama of 10 11 2022, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of 12 local funds from becoming effective with regard to a 13 14 local governmental entity without enactment by a 2/3 15 vote unless: it comes within one of a number of specified exceptions; it is approved by the affected 16 17 entity; or the Legislature appropriates funds, or 18 provides a local source of revenue, to the entity for 19 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 contained in the section.

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## HB36 INTRODUCED



29	A BILL
30	TO BE ENTITLED
31	AN ACT
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33	Relating to firearms; to prohibit persons from
34	possessing any part or combination of parts designed or
35	intended to convert a firearm into a machine gun; to provide
36	penalties for violations; and in connection therewith would
37	have as its purpose or effect the requirement of a new or
38	increased expenditure of local funds within the meaning of
39	Section 111.05 of the Constitution of Alabama of 2022.
40	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
41	Section 1. (a) For purposes of this section, the term
42	"machine gun" means any firearm that shoots, is designed or
43	intended to shoot, or can be readily restored to shoot more
44	than one shot automatically without manual reloading and by a
45	single function of the trigger.
46	(b)(1) No person shall knowingly own or have in his or
47	her possession, control, care, or custody any part or
48	combination of parts designed or intended to convert a firearm
49	into a machine gun.
50	(2) A first violation of this subsection is punishable
51	by the completion of not less than 100 hours of community
52	service. A second or subsequent violation of this subsection
53	is a Class C felony.
54	(c) This section does not apply to a state or local law
55	enforcement officer while acting in an official capacity or

56 any machine gun lawfully owned or possessed under federal law.

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58	Section 2. Although this bill would have as its purpose
59	or effect the requirement of a new or increased expenditure of
60	local funds, the bill is excluded from further requirements
61	and application under Section 111.05 of the Constitution of
62	Alabama of 2022, because the bill defines a new crime or
63	amends the definition of an existing crime.
64	Section 3. This act shall become effective on October

65 1, 2024.