

**Alaska State Law  
AK Stats.**

**Title 8, Chapter 76: Pawnbrokers and Secondhand Dealers.**

**8.76.010 Transactions to be entered in book kept at place of business.** A person engaged in the business of buying and selling secondhand articles, or lending money on secondhand articles, except a bank, shall maintain a book, in permanent form, in which the person shall enter in legible English at the time of each loan, purchase or sale:

- (1) the date of the transaction;
- (2) the name of the person conducting the transaction;
- (3) the name, age and address of the customer;
- (4) a description of the property bought or received in pledge, which includes for any firearm, \* \* \* the name of the maker, the serial, model or other number, and all letters and marks inscribed,
- (5) the price paid or the amount loaned;
- (6) the signature of the customer.

**Title 11, Chapter 61, Article 2:  
Weapons and Explosives**

**11.61.190. Misconduct involving weapons in the first degree.** (a) A person commits the crime of misconduct involving weapons in the first degree if the person uses or attempts to use a firearm during the commission of an offense under AS 11.71.010- 11.71.040.

(b) Misconduct involving weapons in the first degree is a Class A felony.

**11.61.195. Misconduct involving weapons in the second degree.** (a) A person commits the crime of misconduct involving weapons in the second degree if the person knowingly:

(1) possesses a firearm during the commission of an offense under AS 11.71.010 - 11.71.040; or

(2) violates AS 11.61.200(a)(1) and is within the grounds of or on a parking lot immediately adjacent to;

(A) a public or private preschool, elementary, junior high, or secondary school without the permission of the chief administrative officer of the school or district or the designee of the chief administrative officer; or

(B) a center, other than a private residence, licensed under AS 47.35.010 - 47.35.075 or recognized by the federal government for the care of children.

(b) Misconduct involving weapons in the second degree is a class B felony.

**11.61.200. Misconduct involving weapons in the third degree.**

(a) A person commits the crime of misconduct involving weapons in the third degree if the person

(1) knowingly possesses a firearm capable of being concealed on one's person after having been convicted of a felony by a court of this state, a court of the United States, or a court of another state or territory;

(2) knowingly sells or transfers a firearm capable of being concealed on one's person to a person who has been convicted of a felony by a court of

this state, a court of the United States, or a court of another state or territory;

(3) manufactures, possesses, transports, sells, or transfers a prohibited weapon;

(4) knowingly sells or transfers a firearm to another whose physical or mental condition is substantially impaired as a result of the introduction of an intoxicating liquor or drug into that other person's body;

(5) removes, covers, alters, or destroys the manufacturer's serial number on a firearm with intent to render the firearm untraceable; or

(6) possesses a firearm on which the manufacturer's serial number has been removed, covered, altered, or destroyed, knowing that the serial number has been removed, covered, altered, or destroyed with the intent of rendering the firearm untraceable;

(7) violates AS 11.46.320 and, during the violation, possesses on the person a firearm when the person's physical and mental condition is impaired as a result of the introduction of an intoxicating liquor or controlled substance into the person's body;

(8) violates AS 11.46.320 or 11.46.330 by entering or remaining unlawfully on premises or in a propelled vehicle in violation of a provision of an order issued under AS 25.35.010(b) or 25.35.020 and, during the violation, possesses on the person a defensive weapon or a deadly weapon, other than an ordinary pocket knife;

(9) communicates in person with another in violation of AS 11.56.740 and, during the communication, possesses on the person a defensive weapon or a deadly weapon, other than an ordinary pocket knife; or

(10) resides in a dwelling knowing that there is a firearm capable of being concealed on one's person or a prohibited weapon in the dwelling if the person has been convicted of a felony by a court of this state, a court of the United States, or a court of another state or territory, unless the person has written authorization to live in a dwelling in which there is a concealable weapon described in this paragraph from a court of competent jurisdiction or from the head of the law enforcement agency of the community in which the dwelling is located;

(11) discharges a firearm from a propelled vehicle while the vehicle is being operated.

(b) It is an affirmative defense to a prosecution under (a)(1), (2), or (10) of this section that

(1) the person convicted of the prior offense on which the action is based received a pardon for that conviction;

(2) the underlying conviction upon which the action is based has been set aside under AS 12.55.085 or as a result of post-conviction proceedings; or

(3) a period of 10 years or more has elapsed between the date of the person's unconditional discharge on the prior offense and the date of the violation of (a)(1), (2), or (10) of this section, and the prior conviction did not result from a violation of AS 11.41 or of a similar law of the United States or of another state or territory.

(c) It is an affirmative defense to a prosecution under (a)(3) of this section that the manufacture, possession, transportation, sale, or transfer of the prohibited weapon was in accordance with registration under 26 U.S.C. 5801-5872 (National Firearms Act).

(d) It is an affirmative defense to a prosecution under (a)(11) of this sec-

tion that the person was using a firearm while hunting, trapping, or fishing in a manner not prohibited by statute or regulation.

(e) The provisions of (a)(3) and (11) of this section do not apply to a peace officer acting within the scope and authority of the officer's employment.

(f) As used in this section,

(1) **"prohibited weapon"** means any

(A) explosive, incendiary, or noxious gas;

(i) mine or device that is designed, made, or adapted for the purpose of inflicting serious physical injury or death;

(ii) rocket, other than an emergency flare, having a propellant charge of more than four ounces;

(iii) bomb;

(iv) grenade;

(B) device designed, made or adapted to muffle the report of a firearm;

(C) firearm that is capable of shooting more than one shot automatically, without manual reloading, by a single function of the trigger; or

(D) rifle with a barrel length of less than 16 inches, shotgun with a barrel length of less than 18 inches, or firearm made from a rifle or shotgun which, as modified, has an overall length of less than 26 inches;

(2) **"unconditional discharge"** has the meaning ascribed to it in AS 12.55.185.

(g) Misconduct involving weapons in the first degree is a class C felony. \* \*  
\* \*

#### **11.61.220 Misconduct involving weapons in the fifth degree.**

(a) A person commits the crime of misconduct involving weapons in the fifth degree if the person

\* \* \* .

(3) being an unemancipated minor under 16 years of age, possesses a firearm without the consent of a parent or guardian of the minor.

(4) knowingly possesses a firearm

(A) within the grounds of or on a parking lot immediately adjacent to a public or private preschool or school \* \* \* without permission \* \* \*; or

(i) an unloaded firearm in the trunk of a motor vehicle or encased in a closed container in a motor vehicle;

(ii) a defensive weapon; or

(B) within the grounds of or on a parking lot immediately adjacent to a center, other than a private residence \* \* \* for the care of children;

(b) In a prosecution under (a)(1) of this section, it is an affirmative defense at the time of possession, was

(1) in the defendant's dwelling or on land owned or leased by the defendant appurtenant to the dwelling; (OR)

(2) actually engaged in a lawful hunting, fishing, trapping, or other lawful outdoor activity necessarily involved the carrying of a weapon for personal protection; or

(3) the holder of a valid permit to carry a concealed handgun under AS 1865700 - 1865790, the deadly weapon concealed was a handgun as defined in AS 1865799, and the possession did not occur in a municipality or established village in which the possession of concealed handgun is prohibited under AS 1865780 - 1865785 \* \* \*. \* \* \* \*

(f) For purposes of (a)(2) and (e) of this section, (1) a firearm is loaded if the firing chamber, magazine, clip, or cylinder of the firearm contains a

cartridge; and (2) chamber, magazine, clip or cylinder is installed in or on the firearm.

(g) Misconduct involving weapons in the third degree is a class B misdemeanor.

**11.61.240. Criminal Possession of Explosives.**

(a) A person commits the crime of criminal possession of explosives if the person possesses or manufactures an explosive \* \* \* device and intends to use that \* \* \* device to commit a crime.

**Title 11, Chapter 81, Article 6:  
Definitions**

**11.81.900 Definitions.**

(a) For purposes of this title, unless the context requires otherwise, \* \* \*

(13) "deadly weapon" means any firearm, or anything designed for and capable of causing death or serious physical injury. \* \* \* \*

(22) "firearm" means a weapon, including a pistol, revolver, rifle, or shotgun, whether loaded or unloaded, operable or inoperable, designed for discharging a shot capable of causing death or serious physical injury; \* \* \* \*

(43) "possess" means having physical possession or the exercise of dominion or control over property; \* \* \* \*

**Title 11, Chapter 46, Article 1:  
Theft and Related Offenses**

**11.46.260 Removal of Identification Marks.**

(a) A person commits the crime of removal of identification marks if, with intent to cause interruption to the ownership of another, the person defaces, erases, or otherwise alters or attempts to deface, erase, or otherwise alter any serial number or identification mark placed or inscribed on a \* \* \* firearm \* \* \* or its component parts. \* \* \* \*

**11.46.270 Unlawful Possession.**

(a) A person commits the crime of unlawful possession if the person possesses a \* \* \* firearm \* \* \* or its component parts \* \* \* knowing that the serial number or identification mark placed on it by the manufacturer or owner for the purpose of identification has been defaced, erased, or otherwise altered with the intent of causing interruption to the ownership of another. \* \* \* \*

**18.65.700 Permit to Carry a Concealed Handgun.**

(a) The department shall issue a permit to carry a concealed handgun to a person who

(1) applies in person at an office of the Alaska State Troopers;

(2) qualifies under AS 18.65.705;

(3) submits a completed application on a form provided by the department, that provides the information required under AS 18.65.705 and 18.66.710 and is executed under oath;

(4) submits two complete sets of fingerprints on Federal Bureau of Investigation approved fingerprint cards that are of sufficient quality so that the

fingerprints may be processed the fingerprints must be taken by a person, group, or agency approved by the department, the department shall maintain a list of persons, groups or agencies approved to take fingerprints and shall provide the list to the public upon request;

(5) submits evidence of competence with handguns as provided in AS 18.65.715;

\* \* \* \*

**Title 29, Chapter 35, Article 1:  
Municipal Government; General Powers**

**29.35.145 Regulation of Firearms.**

(a) A municipality may not, except by ordinance ratified by the voters, restrict the right to own or possess firearms within a residence or transport unloaded firearms.

(b) This section applies to home rule and general law municipalities.

**Publisher's Notes:**

1. The following jurisdictions restrict the age at which it is lawful for a person to purchase or receive a firearm [An asterisk (\*) next to a name indicates another listing]

Anchorage

Anchorage Borough

2. The following jurisdictions restrict the sale of firearms [i.e., (a) requirement for a State or local license to sell firearms, or (b) recordkeeping requirements imposed as a condition of lawful sale of firearms, or (c) other (specified)] [An asterisk (\*) next to a name indicates another listing]

Fairbanks (b)