

SB40 ENGROSSED



1 SB40
2 B55F4QJ-2
3 By Senators Kelley, Jones, Kitchens, Beasley
4 RFD: County and Municipal Government
5 First Read: 04-Feb-25



SB40 Engrossed

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A BILL
TO BE ENTITLED
AN ACT

Relating to firearms; to define firearm hold agreements; and to provide civil immunity for federal firearm licensees or municipal or county law enforcement officers who enter into firearm hold agreements under certain conditions.
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) This section shall be known as and may be cited as the Houston/Hunter Act.

(b) For the purposes of this act, the following terms have the following meanings:

(1) FEDERAL FIREARMS LICENSEE. Any person who is licensed pursuant to 18 U.S.C. Chapter 44.

(2) FIREARM. Has the same meaning as provided in 18 U.S.C. § 921.

(3) FIREARM HOLD AGREEMENT. A private transaction between a federal firearm licensee or a municipal or county law enforcement officer and an individual firearm owner where the licensee or law enforcement officer agrees to: (i) take physical possession of the owner's lawfully possessed firearm at the owner's request; (ii) hold the firearm for an agreed period of time; and (iii) return the firearm to the owner.



SB40 Engrossed

29 (c) No individual shall have a private cause of action
30 against a federal firearm licensee or municipal or county law
31 enforcement officer operating lawfully in this state for
32 returning a firearm to the firearm owner at the termination of
33 a firearm hold agreement.

34 (d) The immunity from civil liability provided in
35 subsection (c) shall not apply to any action arising from a
36 firearm hold agreement if that action is the result of
37 unlawful conduct on the part of the federal firearm licensee
38 or municipal or county law enforcement officer.

39 (e) This section shall not apply to firearm transfers
40 made in violation of Title 13A or Chapter 27 of Title 41, Code
41 of Alabama 1975.

42 Section 2. This act shall become effective on June 1,
43 2025.



SB40 Engrossed

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46 Senate

47 Read for the first time and referred04-Feb-25
48 to the Senate committee on County
49 and Municipal Government
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51 Read for the second time and placed11-Feb-25
52 on the calendar:
53 1 amendment
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55 Read for the third time and passed20-Feb-25
56 as amended
57 Yeas 31
58 Nays 0
59 Abstains 0
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Patrick Harris,
Secretary.

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