

**ANCHORAGE, ALASKA**  
**AO No. 2025-25**

**AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 8.25.060 TO EXPAND PRINCIPAL LIABILITY TO PARENTS AND GUARDIANS OF MINORS POSSESSING DEADLY WEAPONS ON SCHOOL GROUNDS OR AT SCHOOL FUNCTIONS.**

---

**WHEREAS**, as of 2022 Alaska had the fourth highest firearm child mortality rate amongst all fifty states<sup>1</sup>; and

**WHEREAS**, from 2018 to 2022 firearms were the leading cause of death for children ages 1-17 in Alaska<sup>2</sup>; and

**WHEREAS**, in 2023 5.6% of Alaska students and 3.5% of Anchorage students reported having carried a weapon to school on at least one day in the 30 previous days<sup>3</sup>; and

**WHEREAS**, a Secret Service study of 41 instances of school violence nationwide, determined that 76% of active shooters had acquired a firearm from the home of a parent or another close relative, and in half of those cases, the firearm was either readily accessible, or it was not secured in a meaningful way<sup>4</sup>; and

**WHEREAS**, keeping our community, and especially our youth, safe from the threat of gun violence should be the responsibility of all adult stakeholders, including and especially School Board members, local leaders, lawmakers and community members; and

**WHEREAS**, in 2022 Anchorage School District began partnering the BE SMART campaign to disseminate information about safe storage handguns, offering trigger locks, employing STOPit to allow students to anonymously report bullying, harassment and weapon sightings, and utilizing mobile metal detectors at middle and high school on a rotating basis; and

**WHEREAS**, despite these efforts Anchorage Police Department reported 5 handguns were confiscated at Anchorage schools in both 2023 and 2024, among other deadly weapons; and

**WHEREAS**, under Article X, section 11 of the Alaska Constitution, a home rule municipality may exercise all legislative powers not prohibited by law or by charter;

---

<sup>1</sup> See <https://publichealth.jhu.edu/center-for-gun-violence-solutions/alaska>. Accessed on Jan. 30, 2025.

<sup>2</sup> *Id.*

<sup>3</sup> See ALASKA DEPARTMENT OF HEALTH, Alaska Youth Risk Behavior Survey – District Survey Results (I2023). Available at <https://public.tableau.com/app/profile/yrbs.alaska/viz/AlaskaYRBSDistrictSurveyResults/LandingPage>. Accessed on Jan. 30, 2025.

<sup>4</sup> [https://www.secretservice.gov/sites/default/files/2020-04/Protecting\\_Americas\\_Schools.pdf](https://www.secretservice.gov/sites/default/files/2020-04/Protecting_Americas_Schools.pdf)

1 and

2  
3 **WHEREAS**, a home rule municipality is prohibited from enacting an ordinance that  
4 conflicts with state laws listed as limitations on home rule powers<sup>5</sup>; and

5  
6 **WHEREAS**, the authority to regulate firearms and knives has been reserved to the  
7 State, except as specifically provided by a statute, so the Municipal government's  
8 ability to regulate firearms and knives has been substantially preempted by Alaska  
9 Statute (AS) § 29.35.145, ; and

10  
11 **WHEREAS**, AS 11.61.210 outlines various offenses related to misconduct involving  
12 weapons, including the possession of firearms on school grounds by student; and

13  
14 **WHEREAS**, AS 11.61.210 is silent as to whether a parent or guardian may be  
15 prosecuted a principal for criminal conduct of a minor; and

16  
17 **WHEREAS**, AS 11.16.110 provides that a "person is legally accountable for the  
18 conduct of another constituting an offense if (1) the person is made legally  
19 accountable by a provision of law defining the offense;" and

20  
21 **WHEREAS**, Anchorage Municipal Code section 8.05.040 makes no distinction  
22 between "an accessory before the fact and a principal, or between principals in the  
23 first and second degree"; now, therefore,

24  
25 **THE ANCHORAGE ASSEMBLY ORDAINS:**

26  
27 **Section 1.** Anchorage Municipal Code section 8.25.060 is hereby amended to  
28 read as follows:

29  
30 **8.25.060 Firearms and deadly weapons on school grounds.**

31  
32 A. It is unlawful for any person to knowingly have in possession or control  
33 within the grounds of or on a parking lot of a public or private  
34 preschool, elementary, junior high or high school, on a school bus  
35 while being transported to or from school or a school-sponsored event,  
36 or while participating in a school-sponsored event, a deadly weapon.[:]

37  
38 1. Parent/guardian culpable for violation by a minor child. The  
39 parent or guardian of a minor possessing a weapon in violation  
40 of this section may be prosecuted as a principal if the weapon  
41 was originally in possession of the parent or guardian and the  
42 parent or guardian either authorized the minor to and possess  
43 the weapon or stored the weapon in a criminally negligent  
44 manner. It is an affirmative defense to prosecution under this  
45 subsection that the parent or guardian:

46  
47 a. Reported the minor's suspected violation to law  
48 enforcement or school officials;

49  

---

<sup>5</sup> AS 29.10.200; and *Municipality of Anchorage v. Repasky*, 34 P.3d 302, 311 (2001).

b. Is not the lawful owner, did not possess or control the weapon, and had no reason to know the minor possessed or controlled the weapon; or

c. Is the lawful owner, and

i. Did not authorize the minor to access the weapon, and stored the weapon in a manner reasonably expected to prevent unauthorized access; or

ii. Reported the weapon to law enforcement as stolen.

[A DEADLY WEAPON, EXCEPT A PERSON WHO IS 21 YEARS OF AGE OR OLDER, AND WHO IS NOT A PRESCHOOL, ELEMENTARY SCHOOL, JUNIOR HIGH, OR SECONDARY SCHOOL STUDENT, MAY POSSESS

A. A DEADLY WEAPON, OTHER THAN A LOADED FIREARM, IN THE TRUNK OF A MOTOR VEHICLE OR ENCASED IN A CLOSED CONTAINER IN A MOTOR VEHICLE; OR

B. A DEFENSIVE WEAPON.]

B. Subsection A. of this section shall not apply to:

1. P[P]eace officers acting outside the scope and authority of the officer's employment or persons, including a preschool, elementary school, junior high, or secondary school student, who have express prior authorization of the school chief administrative officer or designee thereof, school district superintendent or the designee thereof, or, in the case of a private or religious school, express authorization of the chief administrative officer of that school; and

2. Persons who are 21 years of age or older, and who are not a preschool, elementary school, junior high, or secondary school student, possessing either

a. A deadly weapon, other than a loaded firearm, in the trunk of a motor vehicle or encased in a closed container in a motor vehicle; or

b. A defensive weapon.

C. In the case of a conviction under subsection A. of this section, the weapon shall be disposed of as provided in section 8.05.020F.

D. Weapons possessed by persons under 18 years of age (minors) in

violation of subsection A. of this section shall be seized and may be forfeited to the municipality in accordance with this section.

1. The legal owner of a weapon seized from a minor, if known, shall be notified by first class mail within 30 days of the seizure.
2. The legal owner may redeem the weapon upon providing the chief of police or designee with the following information:
  - a. Proof of ownership.
  - b. A description of precautions taken to prevent unauthorized access to the weapon.
  - c. A statement that the juvenile in possession of the weapon did not have permission to have access to the weapon.
  - d. A description of the steps the owner intends to take to prevent future incidents of unauthorized access.
3. The chief of police or designee may deny return of the weapon and order it forfeited if the chief, after considering information provided by the purported owner, police reports regarding the incident, information regarding prior incidents involving the weapon or the individuals, and such other relevant information as is presented, determines based upon a preponderance of the evidence that either:
  - a. The person claiming the weapon is not the rightful owner;
  - b. The owner failed to store the weapon in a manner which would reasonably be expected to prevent unauthorized access to the weapon; or
  - c. The owner authorized the minor to access the weapon during school hours.
4. If the legal owner is unknown, or fails to request return of the weapon under subsection D.2. of this section within 30 days of mailing of the notice under subsection D.1. of this section, the weapon may be disposed of pursuant to Chapter 7.25, pertaining to abandoned property.

E. Violation of this section is a class A misdemeanor.

(AO No. 90-122; AO No. 93-56(S); AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03; AO No. 2006-39, § 3, 4-11-06; AO No. 2014-42, §§ 2, 54, 6-21-14)

**Section 2.** This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk



# MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 112-2025

Meeting Date: February 11, 2025

**From: Assembly Member Bronga**

**Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY  
AMENDING ANCHORAGE MUNICIPAL CODE SECTION 8.25.060  
TO EXPAND PRINCIPAL LIABILITY TO PARENTS AND  
GUARDIANS OF MINORS POSSESSING DEADLY WEAPONS ON  
SCHOOL GROUNDS OR AT SCHOOL FUNCTIONS.**

---

The proposed ordinance takes an existing crime under AMC 8.25.060 and redefines the elements of the crime to allow the parent or guardian of a minor to be prosecuted as a principal under very specific circumstances.

This change does not attempt to regulate how firearms are stored, possessed, or maintained beyond what is allowed by state statute, but, instead, redefines criminal liability as allowed by AS 11.16.110 to provide for prosecution in instances when a minor child takes a deadly weapon to a school, and there is evidence that the parent or guardian of that child either provided them the weapon, or effectively allowed them to access the weapon storing it in a negligent manner.

**I request your support for the ordinance.**

Prepared by: Assembly Counsel's Office

Respectfully submitted: Karen Bronga, Assembly Member  
District 5 – East Anchorage