



2018-007

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December 18, 2017



Re: Lauderdale County Board of Education - Brooks High School

Dear [REDACTED]:

On September 19, 2017, my Office received your petition regarding a possible violation of Ala. Code § 13A-11-61.3 by the Lauderdale County Board of Education. Specifically, you alleged that Brooks High School posted signs prohibiting firearms at its football stadium, and that you were asked to leave the football stadium because you were carrying a concealed firearm despite having a concealed carry license.

My investigation determined that signs prohibiting firearms were posted at Brook High School's football stadium. I asked the Lauderdale County Board of Education to explain its legal justification for prohibiting firearms at Brooks High School's football stadium. After reviewing a redacted copy of your petition and the relevant portions of Alabama law, the Lauderdale County Board of Education explained that you were attending a pee-wee football tournament at Brooks High School's football stadium, but that the event was not sponsored by the Lauderdale County Board of Education or Brooks High School.

Boards of Education are expressly authorized by statute to prohibit weapons on property used by school students. See, Opinion to Hon. Alan T. Lee, dated February 28, 2014, No. 2014-044 at page 3. There is an exception in Alabama's firearms law that allows concealed carry license holders to carry firearms into facilities hosting athletic events when those events are "*sponsored by* a private or public elementary or secondary school or any private or public institution of postsecondary education."

Ala. Code § 13A-11-61.2(a)(5) (2015) (emphasis added).¹ The event from which you allege that you were removed was not sponsored by the Lauderdale County Board of Education or Brooks High School. Thus, the exception for concealed carry license holders does not apply.

Because the Lauderdale County Board of Education and Brooks High School are compliant with Alabama law, I have determined that there is no further action required under Ala. Code § 13A-11-61.3.

A redacted copy of this letter will be posted to my Office's website, in furtherance of the statutory requirements under Ala. Code § 13A-11-61.3(f)(3).

Sincerely,

A handwritten signature in black ink that reads "Steve Marshall". The signature is written in a cursive, flowing style.

Steve Marshall
Attorney General

SM/RWS/as
2424896/182001

¹ It is unclear how this exception applies when such an event is hosted on school property where firearms may otherwise be prohibited.