



STATE OF ALABAMA
OFFICE OF THE ATTORNEY GENERAL

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ATTORNEY GENERAL

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February 6, 2023

VIA CERTIFIED MAIL



Re: City of Prattville

Dear [REDACTED]:

On November 18, 2022, I received your petition regarding a possible violation of ALA. CODE §13A-11-61.3 by the City of Prattville due to city ordinance section 51-38.

My Office's investigation confirmed that the City of Prattville has an ordinance that states "[n]o person shall possess, on or about his/her person, any firearm, whether or not it is concealed, at any sports complex or sporting event. This section shall not apply to law enforcement personnel whether or not they are actively on duty." Prattville, Ala., CODE OF ORDINANCES § 51-38 (2011). I asked the City of Prattville to explain its legal justification for the ordinance. The City of Prattville reviewed a redacted copy of your petition and the relevant portions of Alabama law. The City of Prattville replied that it recognizes the State of Alabama's preemption of the entire field of firearms, ammunition, and firearm accessories and does not enforce the ordinance. The City went on to state that it was unable to locate any record of prosecutions under Ordinance 51-38.

A similar issue was raised in Firearms Determination 2016-049 when a petitioner questioned the legality of the City of Bessemer's ordinance prohibiting firearms in city parks. The City of Bessemer stated that, despite the language of the ordinance, it did not enforce the ordinance and would not enforce it in the future. This Office determined that no further action against the City of Bessemer was required on the issue. *See also* AGO Firearms Determination No. 2017-026 (City of Auburn Ordinance section 13-12).

Like the City of Bessemer's ordinance related to firearms in city parks, the City of Prattville's ordinance is not enforced in the manner in which you allege. A person is not adversely affected if not subjected to a regulation promulgated or enforced in violation of ALA. CODE § 13A-11-61.3.

Because the City of Prattville is 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 requirement 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
3332762/182001