

OFFICE OF THE ATTORNEY GENERAL

81-00044



CHARLES A. GRADDICK
ATTORNEY GENERAL
STATE OF ALABAMA

OCT 29 1980

ADMINISTRATIVE BUILDING
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Honorable Rex Smalley
Sheriff
Marshall County
County Courthouse
Guntersville, AL 35976

Sheriffs - Firearms -
Licenses and Permits

Under an unlimited pistol
permit an individual is
not restricted to a
particular pistol but may
carry only one pistol.

Opinion by Assistant Attorney
General Curtis.

Dear Sheriff Smalley:

Reference is made to your letter of October 2, 1980,
in which you request an opinion as follows:

"A couple of years ago we received
a letter in reference to pistol
permits. This was an Attorney
General ruling on how many guns
could be included on one gun permit.
Our question is, should one gun
serial number just be included or
can more than one serial shown on
each permit.

"Also, would like to know your
opinion on unrestricted gun
permits."

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Sheriff
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that: The Code of Alabama 1975, § 13A-11-75, provides

"The sheriff of a county may, upon the application of any person residing in that county, issue a qualified or unlimited license to such person to carry a pistol in a vehicle or concealed on or about his person within this state for not more than one year from date of issue, if it appears that the applicant has good reason to fear injury to his person or property or has any other proper reason for carrying a pistol, and that he is a suitable person to be so licensed. The license shall be in triplicate, in form to be prescribed by the secretary of state, and shall bear the name, address, description and signature of the licensee and the reason given for desiring a license."

There is no requirement under the law that any gun serial number appear on the pistol permit. The license runs to the person and not to a particular pistol. As Sheriff you may thus issue an unlimited license to a person to carry a pistol anywhere in the State at any time.

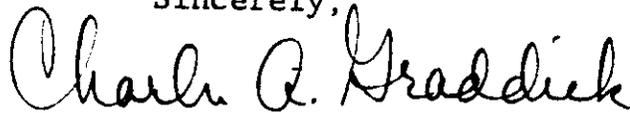
Under such an unlimited permit a person would not be restricted to carrying a particular pistol. A person would be limited, however, to carrying a single pistol at any one time under the provisions of § 13A-11-75. At no time may a person have more than one pistol in a vehicle or concealed on or about his person.

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As Sheriff you may also issue a qualified pistol permit. You may limit the permit to a particular pistol or pistols by including the serial numbers of those weapons on the permit. You may also limit when or where a person may have a pistol in his possession.

I hope that I have satisfactorily answered your inquiry with regard to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Charles A. Graddick". The signature is written in dark ink and is positioned above the printed name and title.

CHARLES A. GRADDICK
Attorney General

CAG:JMC