

1 HB310
2 216123-4
3 By Representative Standridge
4 RFD: Judiciary
5 First Read: 08-FEB-22

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8 SYNOPSIS: The Second Amendment to the United States
9 Constitution provides that "the right of the people
10 to keep and bear Arms, shall not be infringed."
11 Also under the United States Constitution, all
12 federal legislative power is vested in Congress,
13 and before a bill may become a law, the bill must
14 have been passed by the House of Representatives
15 and the Senate and then presented to the President
16 of the United States for his or her signature. The
17 President of the United States, by executive order,
18 may issue a directive with the force of law. The
19 executive order is not subject to congressional
20 approval.

21 This bill would create the Alabama Second
22 Amendment Protection Act to provide that when the
23 President of the United States issues an executive
24 order which limits or restricts the ownership, use,
25 or possession of firearms, firearm accessories, or
26 ammunition by law-abiding residents of the state,
27 or otherwise attempts to limit the Second Amendment

1 rights of the residents of this state in an
2 unlawful manner, the executive order shall be
3 deemed unenforceable by law enforcement officers of
4 this state, and would specify that no law
5 enforcement officer may be ordered, directed, or
6 compelled to execute or administer the executive
7 order.

8 This bill would also prohibit the
9 expenditure of state or local public funds for the
10 enforcement of any such executive order.

11 This bill would authorize the Attorney
12 General to issue guidance to state and local
13 officials to ensure uniform compliance with the
14 act.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 Relating to firearms; to provide prohibitions on the
21 enforcement of certain presidential executive orders which
22 provide certain limitations or restrictions on the ownership,
23 use, or possession of firearms and accessories and ammunition
24 thereof.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. (a) This section shall be known and may
27 be cited as the Alabama Second Amendment Protection Act.

1 (b) Notwithstanding any provision of law to the
2 contrary, an official, officer, employee, or agent of the
3 state or political subdivision thereof, when acting in an
4 official capacity, may not enforce or administer any executive
5 order issued by the President of the United States which
6 limits or restricts the ownership, use, or possession of
7 firearms, ammunition, or firearm accessories by law-abiding
8 residents of the state. An official, officer, employee, or
9 agent of the state or political subdivision thereof, when
10 acting in an official capacity, shall not be ordered,
11 directed, or compelled to execute or administer the executive
12 order.

13 (c) No state or local public funds may be expended
14 for the enforcement of any executive order issued by the
15 President of the United States which limits or restricts the
16 ownership, use, or possession of firearms, ammunition, or
17 firearm accessories by law-abiding residents of the state, as
18 described in subsection (b).

19 (d) The Attorney General may issue guidance to state
20 and local officials to ensure uniform compliance with this
21 section.

22 Section 2. This act shall become effective on the
23 first day of the third month following its passage and
24 approval by the Governor, or its otherwise becoming law.