

HOUSE BILL NO. HB0118

Second Amendment Preservation Act.

Sponsored by: Representative(s) Jennings, Blackburn,
Edwards, Gray, Hallinan, Miller, Piiparinen,
Salazar, Styvar and Tass and Senator(s)
Biteman, Hutchings and Steinmetz

A BILL

for

1 AN ACT relating to firearms regulation; establishing the
2 Second Amendment Preservation Act; describing certain
3 actions as infringing on the right to keep and bear arms;
4 objecting to certain actions by the federal government;
5 providing for the protection of specified rights; providing
6 legislative declaration of authority; and providing for an
7 effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 6-8-501 through 6-8-505 are created
12 to read:

13

14

ARTICLE 5

1 SECOND AMENDMENT PRESERVATION ACT

2

3 **6-8-501. Short title.**

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5 This article shall be known and may be cited as the "Second
6 Amendment Preservation Act".

7

8 **6-8-502. Definitions.**

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10 (a) As used in this article:

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12 (i) "Ammunition" means as provided in W.S.
13 6-8-403(a)(i);

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15 (ii) "Borders of Wyoming" means as provided in
16 W.S. 6-8-403(a)(ii);

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18 (iii) "Firearm" means as provided in W.S.
19 6-8-403(a)(iii);

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21 (iv) "Firearms accessories" means as provided in
22 W.S. 6-8-403(a)(iv);

23

1 (v) "Law abiding citizen" means a person who is
2 not otherwise precluded under law existing on July 1, 2020
3 from possessing a firearm and who is not engaged in
4 criminal activity. "Law abiding citizen" shall not be
5 construed to include any person who is not lawfully present
6 in the United States or any person in the process
7 committing or attempting to commit a crime under state law.

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9 **6-8-503. Infringements on the people's right to keep
10 and bear arms; duties of the Wyoming attorney general,
11 courts and law enforcement agencies.**

12

13 (a) The following federal acts, laws, executive
14 orders, administrative orders, court orders, rules and
15 regulations shall be considered infringements on the
16 people's right to keep and bear arms, as guaranteed by the
17 second amendment to the United States constitution and
18 article 1, section 24 of the Wyoming constitution, within
19 this state:

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21 (i) Any tax, levy, fee or stamp imposed on
22 firearms, firearms accessories or ammunition, not common to
23 all other goods and services, which is adopted after July

1 1, 2020 and which might reasonably be expected to limit or
2 discourage the purchase or ownership of those items by law
3 abiding citizens;

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5 (ii) Any registering or tracking of firearms,
6 firearms accessories or ammunition which might reasonably
7 be expected to limit or discourage the purchase or
8 ownership of those items by law abiding citizens which are
9 not already in effect on July 1, 2020;

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11 (iii) Any registering or tracking of the owners
12 of firearms, firearms accessories or ammunition which might
13 reasonably be expected to limit or discourage the purchase
14 or ownership of those items by law abiding citizens which
15 are not already in effect on July 1, 2020;

16

17 (iv) Any act forbidding the possession,
18 ownership or use or transfer of a firearm, firearm
19 accessory or ammunition by law abiding citizens which is
20 not already in effect on July 1, 2020; and

21

1 (v) Any act ordering the mass confiscation of
2 firearms, firearms accessories or ammunition from law
3 abiding citizens.

4
5 (b) All federal acts, laws, executive orders,
6 administrative orders, court orders, rules and regulations,
7 enacted after July 1, 2020, which infringe on the people's
8 right to keep and bear arms as guaranteed by the second
9 amendment to the United States constitution and article 1,
10 section 24 of the Wyoming constitution shall be objected to
11 and litigated against by the Wyoming attorney general on
12 behalf of the citizens of Wyoming.

13
14 (c) It shall be the duty of the Wyoming attorney
15 general, courts and law enforcement agencies of this state
16 to protect the rights of law abiding citizens to keep and
17 bear arms within the borders of Wyoming and to protect
18 these rights from the infringements described under
19 subsection (a) of this section.

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21 **6-8-504. Prohibitions.**

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1 No public servant as defined in W.S. 6-5-101(a)(vi) shall
2 have the authority to enforce or attempt to enforce any
3 federal act, law, executive order, administrative order,
4 court order, rule, regulation, statute or ordinance enacted
5 after July 1, 2020 that infringes on the right to keep and
6 bear arms ensured by the second amendment to the United
7 States constitution and article 1, section 24 of the
8 Wyoming constitution and which is being litigated by the
9 Wyoming attorney general on behalf of the citizens of
10 Wyoming.

11

12 **6-8-505. Declaration of authority.**

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14 (a) The limitation of the federal government's power
15 is affirmed under the tenth amendment to the United States
16 constitution.

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18 (b) The state of Wyoming respects the proper role of
19 the federal government, but rejects the proposition that
20 such respect requires unlimited submission.

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22 (c) The Wyoming legislature promotes responsible gun
23 ownership and the proper enforcement of gun laws in

1 existence on July 1, 2020, but seeks to protect law abiding
2 gun owners in Wyoming from future infringements of their
3 second amendment rights by the federal government.

4

5 **Section 2.** This act is effective July 1, 2020.

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7

(END)