

1 STATE OF XXXXXX

2 XXX Session of the XX Legislature (2022)

3 BILL XXXX

By:

4
5
6 AS INTRODUCED

7 An Act relating to firearms; amending INSERT STATE CRIME AND
PUNISHMENT STATUE 20XX,
8 Section XXXXX, which relates to the ANY 2A SANCTUARY
ACT; prohibiting the
9 enforcement of a federal ban or regulation on
firearms, firearm accessories, or ammunition;
10 providing construing provision; prohibiting the state
and political subdivisions from reducing or
eliminating funds or budgets of county sheriff's
11 offices or municipal police departments under certain
circumstances; prohibiting the termination or
12 retaliation against peace officers for refusing to
obey or enforce certain orders; adding definitions;
13 and declaring an emergency.

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16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF XXXXXX:

17 SECTION 1. AMENDATORY INSERT HERE, Section XXX, is
18 amended to read as follows:

19 Section XXX A. The State Legislature hereby occupies and
20 preempts the entire field of legislation by any agency of this state
21 or any political subdivision in this state to infringe upon the
rights of a citizen of the State of (INSERT STATE HERE), the
22 unalienable right
23 to keep and bear arms as guaranteed to them by the Second Amendment
24 of the United States Constitution.

1 B. Any federal, state, county or municipal act, law, executive
2 order, administrative order, court order, rule, policy or regulation
3 ordering the buy-back, confiscation or surrender of firearms,
4 firearm accessories or ammunition from law-abiding citizens of this
5 state shall be considered an infringement on the rights of citizens
6 to keep and bear arms as guaranteed by the Second Amendment of the
7 Constitution of the United States and Section XX of the
8 Constitution of (INSERT STATE HERE).

9 C. 1. A peace officer, state employee, or employee of a
10 political subdivision is prohibited from enforcing, assisting in the
11 enforcement of, or otherwise cooperating in the enforcement of a
12 federal ban on firearms, firearm accessories, or ammunition and is
13 also prohibited from participating in any federal enforcement action
14 implementing a federal ban on firearms, firearm accessories, or
15 ammunition.

16 2. An employee of the state or a political subdivision may not
17 expend public funds or allocate public resources for the enforcement
18 of a federal ban on firearms, firearm accessories, or ammunition.

19 3. Nothing in this subsection may be construed to prohibit or
20 otherwise limit a peace officer, state employee, or employee of a
21 political subdivision from cooperating, communicating, or
22 collaborating with a federal, state, county, or municipal agency if
23 the primary purpose is not:
24

- 1 a. law enforcement activity related to a federal, state,
2 county, or municipal ban on firearms, firearm
3 accessories, or ammunition, or
4 b. the investigation of a violation of a federal, state,
5 county, or municipal ban on firearms, firearm
6 accessories, or ammunition.

7 4. The State of XXXXXX and any political subdivision of this
8 state shall not reduce or eliminate any funding or budget from a
9 county sheriff's office or municipal police department for:

- 10 a. refusing to obey or enforce any order which violates
11 the Second Amendment of the Constitution of the United
12 States, Section Blank of the Constitution
13 of XXXXXXXX or the peace officer oath of a peace
14 officer, or
15 b. declaring any political subdivision of this state as a
16 Second Amendment sanctuary.

17 5. The State of XXXXXX and any political subdivision of this
18 state shall be prohibited from terminating or retaliating against
19 any peace officer who refuses to obey or enforce any order which
20 violates the Second Amendment of the Constitution of the United
21 States, SECTION XX of the Constitution of XXXXXX or
22 the peace officer oath of the peace officer.

23 D. It shall be the duty of the courts and law enforcement
24 agencies of this state to protect the rights of law-abiding citizens

1 to keep and to bear arms within the borders of this state and to
2 protect these rights from the infringement provided under the
3 provisions of this act.

4 ~~D.~~ E. The preemption provided in this act shall include:

5 1. Any regulation of arms and ammunition, pursuant to the
6 National Firearms Act of 1934, prohibited or regulated on or after
7 the effective date of this act; and

8 2. Any regulations or provision of the Gun Control Act of 1968,
9 prohibited or regulated on or after the effective date of this act.

10 ~~E.~~ F. For purposes of this section:

11 1. "Arms" ~~is defined as~~ means any firearm, firearm part,
12 accessory or ammunition required to render that firearm operable and
13 effective;

14 2. "Federal ban" means a federal law, executive order, rule or
15 regulation that is enacted, adopted, or becomes effective on or
16 after November 1, 2022, or a new and more restrictive interpretation
17 of a law that existed on November 1, 2022, that infringes upon,
18 calls in question or prohibits, restricts, or requires individual
19 licensure for or registration of the purchase, ownership,
20 possession, transfer, or use of any firearm, any magazine or other
21 ammunition feeding device, or other firearm accessory;

22 3. "Infringement" ~~shall mean~~ means any law that reduces,
23 represses, diminishes or subverts the right to keep and bear arms,
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1 ammunition, parts and accessories in any amount that is legal as of
2 the effective date of this act of any citizen in this state; and

3 ~~3.~~ 4. "Law-abiding citizen" means a person who is not otherwise
4 precluded under state law from possessing a firearm and shall not be
5 construed to include anyone who is not legally present in the United
6 States or this state;

7 5. "Peace officer" has the same meaning as provided for in
8 Section 99 of this title, except that subsection C of this section
9 shall not apply to federal employees; and

10 6. "Political subdivision" means a city, town, county, or any
11 other political subdivision of this state.

12 SECTION 2. It being immediately necessary for the preservation
13 of the public peace, health or safety, an emergency is hereby
14 declared to exist, by reason whereof this act shall take effect and
15 be in full force from and after its passage and approval.

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17 58-2-8443 GRS 11/19/21

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