

Amendment #HB0118SS001 to Engrossed version of HB0118 is shown below in red (=delete) and blue (=add).  
This amendment was recommended by the Senate Judiciary Committee (3/4/20) and passed by the Senate Committee of the Whole on 3/9/20.  
Ultimately this bill failed Senate 3rd Reading on 3/11/20.

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

6-8-504

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.**

4

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

7

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

9

10 (a) As used in this article:

11

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

14

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

17

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

20

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 of  
7 committing or attempting to commit a crime under state law.  
8

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:  
20

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

will

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;

4

5 (ii) Any registering or tracking of firearms,  
6 firearms accessories or ammunition which ~~might reasonably~~  
7 ~~be expected to~~ will 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;

10

11 (iii) Any registering or tracking of the owners  
12 of firearms, firearms accessories or ammunition which ~~might~~  
13 ~~reasonably be expected to~~ will 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~~ may 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.~~

20  
21 ~~6 8 504. Prohibitions.~~

22

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 6-8-504

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

13

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

17

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.~~

21

(b)

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.

6

7

(END)