

REFERENCE TITLE: Arizona firearms; prohibited enforcement

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

HB 2291

Introduced by
Representatives Smith, Kwasman, Seel, Stevens, Thorpe

AN ACT

AMENDING TITLE 13, CHAPTER 31, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3121; RELATING TO FIREARMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 13, chapter 31, Arizona Revised Statutes, is amended
3 by adding section 13-3121, to read:
4 13-3121. Arizona firearms; prohibited enforcement of federal
5 laws; representation by the attorney general;
6 classification; definition
7 A. A PUBLIC SERVANT OR A FEDERALLY LICENSED DEALER WHO SELLS FIREARMS
8 IN THIS STATE SHALL NOT ENFORCE OR ATTEMPT TO ENFORCE ANY ACT, LAW, STATUTE,
9 RULE OR REGULATION OF THE UNITED STATES GOVERNMENT RELATING TO A PERSONAL
10 FIREARM, A FIREARM ACCESSORY OR AMMUNITION THAT IS OWNED OR MANUFACTURED
11 COMMERCIALY OR PRIVATELY IN THIS STATE AND THAT REMAINS EXCLUSIVELY WITHIN
12 THE BORDERS OF THIS STATE.
13 B. AN OFFICIAL, AGENT OR EMPLOYEE OF THE UNITED STATES GOVERNMENT
14 SHALL NOT ENFORCE OR ATTEMPT TO ENFORCE ANY ACT, ORDER, LAW, STATUTE, RULE OR
15 REGULATION OF THE UNITED STATES GOVERNMENT RELATING TO A PERSONAL FIREARM, A
16 FIREARM ACCESSORY OR AMMUNITION THAT IS OWNED OR MANUFACTURED COMMERCIALY OR
17 PRIVATELY IN THIS STATE AND THAT REMAINS EXCLUSIVELY WITHIN THE BORDERS OF
18 THIS STATE.
19 C. THE ATTORNEY GENERAL MAY DEFEND A CITIZEN OF THIS STATE WHO IS
20 PROSECUTED BY THE UNITED STATES GOVERNMENT FOR VIOLATION OF A FEDERAL LAW
21 RELATING TO THE MANUFACTURE, SALE, TRANSFER OR POSSESSION OF A FIREARM, A
22 FIREARM ACCESSORY OR AMMUNITION THAT IS OWNED OR MANUFACTURED AND THAT IS
23 RETAINED EXCLUSIVELY WITHIN THE BORDERS OF THIS STATE.
24 D. ANY FEDERAL LAW, RULE, REGULATION OR ORDER THAT IS EFFECTIVE ON OR
25 AFTER JANUARY 1, 2013 IS UNENFORCEABLE WITHIN THE BORDERS OF THIS STATE IF
26 THE LAW, RULE, REGULATION OR ORDER ATTEMPTS TO DO ANY OF THE FOLLOWING:
27 1. BAN OR RESTRICT OWNERSHIP OF A SEMIAUTOMATIC FIREARM OR ANY
28 MAGAZINE OF A FIREARM.
29 2. REQUIRE ANY FIREARM, MAGAZINE OR OTHER FIREARM ACCESSORY TO BE
30 REGISTERED IN ANY MANNER.
31 E. A PERSON WHO VIOLATES SUBSECTION B OF THIS SECTION IS GUILTY OF A
32 CLASS 6 FELONY.
33 F. FOR THE PURPOSES OF THIS SECTION, "PUBLIC SERVANT" MEANS ANY
34 OFFICER OR EMPLOYEE OF THIS STATE OR ANY POLITICAL SUBDIVISION OF THIS STATE,
35 INCLUDING LEGISLATORS AND JUDGES, AND ANY PERSON WHO PARTICIPATES, AS JUROR,
36 WITNESS, ADVISOR, CONSULTANT OR OTHERWISE, IN PERFORMING A GOVERNMENT
37 FUNCTION.