

## HOUSE BILL NO. HB0104

Firearm Protection Act.

Sponsored by: Representative(s) Kroeker, Baker, Burkhart,  
Hutchings, Jaggi, Miller, Piiparinen, Reeder  
and Winters and Senator(s) Dockstader and  
Hicks

A BILL

for

1 AN ACT relating to firearms; providing that federal laws,  
2 rules, executive orders and other specified federal  
3 authority restricting ownership of and otherwise regulating  
4 firearms and firearm accessories which remain exclusively  
5 within this state shall be unenforceable within the borders  
6 of this state as specified; modifying existing provisions  
7 prohibiting enforcement of federal laws, rules and other  
8 federal authority regulating firearms within the borders of  
9 this state; providing for severability; and providing for  
10 an effective date.

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

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14 **Section 1.** W.S. 6-8-405 is amended to read:

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1           **6-8-405. Offenses and penalties; defense of Wyoming**  
2 **citizens.**

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4           (a) No public servant in this state as defined in  
5 W.S. 6-5-101, ~~or dealer selling any firearm in this state~~  
6 shall enforce or attempt to enforce any act, law, statute,  
7 executive order, rule or regulation of the United States  
8 government relating to a personal firearm, firearm  
9 accessory or ammunition that is owned or manufactured  
10 commercially or privately in Wyoming and that remains  
11 exclusively within the borders of Wyoming.

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13           (b) Any official, agent or employee of the United  
14 States government who enforces or attempts to enforce any  
15 act, order, law, statute, executive order, rule or  
16 regulation of the United States government upon a personal  
17 firearm, a firearm accessory or ammunition that is owned or  
18 manufactured commercially or privately in Wyoming and that  
19 remains exclusively within the borders of Wyoming shall be  
20 guilty of a misdemeanor and, upon conviction, shall be  
21 subject to imprisonment for not more than one (1) year, a  
22 fine of not more than two thousand dollars (\$2,000.00), or  
23 both.

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1           (c) The attorney general may defend a citizen of  
2 Wyoming who is prosecuted by the United States government  
3 for violation of a federal law relating to the manufacture,  
4 sale, transfer or possession of a firearm, a firearm  
5 accessory or ammunition owned or manufactured and retained  
6 exclusively within the borders of Wyoming.

7  
8           (d) Any federal law, rule, regulation or order  
9 created or effective on or after January 1, 2013 shall be  
10 unenforceable within the borders of Wyoming by an officer  
11 or agent of the federal government or of the state of  
12 Wyoming or any political subdivision thereof if the law,  
13 rule, regulation or order attempts to:

14  
15           (i) Ban or restrict ownership of a semi-  
16 automatic firearm or any magazine of a firearm that remains  
17 exclusively within the borders of Wyoming; or

18  
19           (ii) Require any firearm, magazine or other  
20 firearm accessory that remains exclusively within the  
21 borders of Wyoming to be registered in any manner.

22  
23           **Section 2.** If any provision of this act or the  
24 application thereof to any person or circumstance is held

1 invalid, such invalidity shall not affect other provisions  
2 or applications of this act which can be given effect  
3 without the invalid provision or application; and to this  
4 end the provisions of this act are severable.

5

6       **Section 3.** This act is effective immediately upon  
7 completion of all acts necessary for a bill to become law  
8 as provided by Article 4, Section 8 of the Wyoming  
9 Constitution.

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11

(END)