

HCS HB 436 -- FIREARMS

SPONSOR: Funderburk

COMMITTEE ACTION: Voted "Do Pass" by the Committee on General Laws by a vote of 9 to 3.

This substitute establishes the Second Amendment Preservation Act in which all past, present, or future federal acts, laws, orders, rules, or regulations that infringe on the people's right to keep and bear arms, as guaranteed by both the Second Amendment to the United States Constitution and Article I, Section 23 of the Missouri Constitution, are invalid, will not be recognized, are specifically rejected, and will be considered null and void and of no effect in this state.

The substitute specifies that it will be the duty of the courts and law enforcement agencies of the state to protect the rights of law-abiding citizens to keep and bear arms within the borders of the state, and no public officer or employee of the state has any authority to enforce or attempt to enforce any of the infringements on the right. Any official, agent, or employee of the federal government who enforces or attempts to enforce any of the infringements on the right to keep or bear arms is guilty of a class A misdemeanor.

Any state citizen who has been subject to an effort to enforce any of the infringements on the right to keep and bear arms specified will have a private cause of action for declaratory judgment and for damages against any person or entity attempting the enforcement.

PROPOSERS: Supporters say that this bill is about protecting a Missourian's right to keep and bear arms from the federal government's overreach.

Testifying for the bill were Representative Funderburk; Ron Calzone, Missouri First; Michael Kilgus; John Paulifegot; Greg Shaefer; Concerned Women for America of Missouri; and Missourians for Personal Safety.

OPPOSERS: There was no opposition voiced to the committee.