

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE ENFORCEMENT OF ANY FEDERAL BAN ON  
5 OR REGULATION OF FIREARMS, MAGAZINES, AMMUNITION, AMMUNITION COMPONENTS, OR  
6 FIREARM ACCESSORIES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 NEW SECTION. Section 1. Short title. [Sections 1 through 4] may be cited as the "Montana Federal  
11 Firearm, Magazine, and Ammunition Ban Enforcement Prohibition Act".

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13 NEW SECTION. Section 2. Declaration of authority. [Sections 1 through 4] are done under the  
14 authority of the 2nd and 10th amendments to the United States constitution, Article II, section 12, of the  
15 Montana constitution, Montana's compact with the United States, and Printz v. U.S., 521 U.S. 898 (1997).

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17 NEW SECTION. Section 3. Definitions. As used in [sections 1 through 4], the following definitions  
18 apply:

19 (1) "Federal ban" means a federal law, executive order, rule, regulation, or a new and more restrictive  
20 interpretation of an existing law that infringes upon, calls in question, or prohibits, restricts, or requires individual  
21 licensure for or registration of the purchase, ownership, possession, transfer, or use of any firearm, any  
22 magazine or other ammunition feeding device, or other firearm accessory.

23 (2) "Firearm" means any self-loading rifle, pistol, revolver, or shotgun or any manually loaded rifle,  
24 pistol, revolver, or shotgun.

25 (3) "Peace officer" has the meaning provided in 45-2-101, except that [sections 1 through 4] do not  
26 apply to federal employees.

27 (4) "Political subdivision" means a city, town, county, consolidated government, or other political  
28 subdivision of the state.

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2            **NEW SECTION. Section 4. Prohibition of enforcement.** (1) A peace officer, state employee, or  
3 employee of a political subdivision is prohibited from enforcing, assisting in the enforcement of, or otherwise  
4 cooperating in the enforcement of a federal ban on firearms, magazines, or ammunition and is also prohibited  
5 from participating in any federal enforcement action implementing a federal ban on firearms, magazines, or  
6 ammunition.

7            (2) An employee of the state or a political subdivision may not expend public funds or allocate public  
8 resources for the enforcement of a federal ban on firearms, magazines, or ammunition.

9            (3) [Sections 1 through 4] do not apply to:

10            (a) the possession or use of a fully automatic firearm that will fire continuously with only one pull of  
11 the trigger;

12            (b) the enforcement of any federal or state law prohibiting a person with a violent felony conviction  
13 from possessing a firearm;

14            (c) the enforcement of any federal or state law prohibiting a person convicted of a misdemeanor  
15 offense of domestic violence from possessing a firearm; or

16            (d) the enforcement of a current order of protection issued pursuant to Title 40, chapter 15, prohibiting  
17 a person from possessing a firearm.

18            (4) Nothing in this section may be construed to prohibit or otherwise limit a peace officer, state  
19 employee, or employee of a political subdivision from cooperating in an action that does not have the purpose  
20 of enforcing a federal ban.

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22            **NEW SECTION. Section 5. Severability.** If a part of [this act] is invalid, all valid parts that are  
23 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,  
24 the part remains in effect in all valid applications that are severable from the invalid applications.

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26            **NEW SECTION. Section 6. Codification instruction.** [Sections 1 through 4] are intended to be  
27 codified as an integral part of Title 45, chapter 7, and the provisions of Title 45, chapter 7, apply to [sections 1  
28 through 4].

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2           NEW SECTION. **Section 7. Effective date.** [This act] is effective on passage and approval.

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