HB 733

1	A bill to be entitled
2	An act relating to federal regulation of firearms;
3	providing a short title; providing legislative
4	findings; creating s. 790.339, F.S.; prohibiting
5	specified actions to enforce certain federal
6	regulations of firearms and ammunition; providing for
7	loss of position or office of an agent or employee of
8	the state who violates the prohibition; providing a
9	directive to the Division of Law Revision and
10	Information; providing an effective date.
11	
12	Be It Enacted by the Legislature of the State of Florida:
13	
14	Section 1. This act may be cited as the "Second Amendment
15	Preservation Act."
16	Section 2. This act shall have no effect on the right to
17	keep and bear arms pursuant to the Florida Constitution and
18	defined by state law.
19	Section 3. The Legislature finds that the Second Amendment
20	to the United States Constitution reads as follows: "A well
21	regulated militia, being necessary to the security of a free
22	State, the right of the people to keep and bear arms, shall not
23	be infringed." The Legislature finds the enforcement of firearms
24	and ammunition regulations remains a power reserved to the State
25	of Florida and the people therein.
26	Section 4. Section 790.339, Florida Statutes, is created
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CODING: Words stricken are deletions; words underlined are additions.

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27 to read: 790.339 Federal infringement of Second Amendment rights 28 29 prohibited.-30 (1) Notwithstanding any provision of law, the State of 31 Florida and its agencies, political subdivisions, constitutional 32 officers, officials of its agencies and subdivisions, and their 33 successors, or an employee of such an agency acting in his or 34 her official capacity, or a corporation or person providing 35 services to or on behalf of this state shall not, concerning any act, law, order, rule, or regulation, whether past, present, or 36 37 future, of the Federal Government relating to a personal firearm 38 or firearm accessory within this state that applies to a 39 personal firearm or firearm accessory based on the design, 40 features, or characteristics of the firearm or accessory: 41 (a) Enforce any such federal act, law, order, rule, or 42 regulation. Provide material support to, participate with, or 43 (b) 44 assist, in any form, any federal agency or employee engaged in 45 the enforcement of any such federal act, law, order, rule, or 46 regulation or any investigation pursuant to the enforcement of 47 any such federal act, law, order, rule, or regulation. (c) Use any state assets, state funds, or funds allocated 48 49 by the state to local entities on or after the effective date of 50 this act, in whole or in part, to engage in any activity that 51 aids a federal agency, federal agent, or corporation providing 52 services to the Federal Government in the enforcement of any Page 2 of 3

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53	such federal act, law, order, rule, or regulation or any
54	investigation pursuant to the enforcement of any such federal
55	act, law, order, rule, or regulation as these federal laws shall
56	not be recognized by this state, are specifically rejected by
57	this state, and shall be of no effect in this state.
58	(2) An agent or employee of this state who knowingly
59	violates subsection (1) shall be deemed to have resigned a
60	commission from this state that he or she may possess, and his
61	or her position or office shall be deemed vacant.
62	Section 5. The Division of Law Revision and Information is
63	directed to replace the phrase "the effective date of this act"
64	wherever it occurs in this act with the date this act takes
65	effect.
66	Section 6. This act shall take effect upon becoming a law.
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