

By: Senator(s) Fillingane

To: Judiciary, Division A

SENATE BILL NO. 2768

1 AN ACT RELATING TO FIREARMS; TO PROVIDE THAT ANY FEDERAL LAW
2 THAT ATTEMPTS TO BAN A SEMIAUTOMATIC FIREARM OR TO LIMIT THE SIZE
3 OF A MAGAZINE OF A FIREARM OR OTHER LIMITATION ON FIREARMS IN THIS
4 STATE SHALL BE UNENFORCEABLE; TO PROVIDE A PENALTY; AND FOR
5 RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1. Offenses and penalties; defense of Mississippi**

8 **citizens.** (1) No public servant as defined in Section 25-1-103,
9 or dealer selling any firearm in this state shall enforce or
10 attempt to enforce any act, law, statute, rule or regulation of
11 the United States government relating to a personal firearm,
12 firearm accessory or ammunition that is owned or manufactured
13 commercially or privately in Mississippi and that remains
14 exclusively within the borders of Mississippi.

15 (2) Any official, agent or employee of the United States
16 government who enforces or attempts to enforce any act, order,
17 law, statute, rule or regulation of the United States government
18 upon a personal firearm, a firearm accessory or ammunition that is
19 owned or manufactured commercially or privately in Mississippi and



20 that remains exclusively within the borders of Mississippi shall
21 be guilty of a felony and, upon conviction, shall be subject to
22 imprisonment for not less than one (1) year and one (1) day nor
23 more than five (5) years, a fine of not more than Five Thousand
24 Dollars (\$5,000.00), or both.

25 (3) The Attorney General may defend a citizen of Mississippi
26 who is prosecuted by the United States government for violation of
27 a federal law relating to the manufacture, sale, transfer or
28 possession of a firearm, a firearm accessory or ammunition owned
29 or manufactured and retained exclusively within the borders of
30 Mississippi.

31 (4) Any federal law, rule, regulation or order created or
32 effective on or after January 1, 2013 shall be unenforceable
33 within the borders of Mississippi if the law, rule, regulation or
34 order attempts to:

35 (a) Ban or restrict ownership of a semiautomatic
36 firearm or any magazine of a firearm; or

37 (b) Require any firearm, magazine or other firearm
38 accessory to be registered in any manner.

39 **SECTION 2.** This act shall take effect and be in force from
40 and after January 1, 2013.

