

By: Representative Patterson

To: Constitution

HOUSE BILL NO. 269

1 AN ACT TO PROHIBIT ANY OFFICIAL, AGENT OR EMPLOYEE OF THE
 2 STATE OF MISSISSIPPI OR POLITICAL SUBDIVISION OF THE STATE FROM
 3 ENFORCING ANY FEDERAL EXECUTIVE ORDER, AGENCY ORDER, LAW, STATUTE,
 4 RULE OR REGULATION ISSUED, ENACTED OR PROMULGATED THAT HAS THE
 5 PURPOSE, INTENT, OR EFFECT OF CONFISCATING OR BANNING ANY FIREARM,
 6 LIMITING THE SIZE OF A MAGAZINE FOR ANY FIREARM, IMPOSING ANY
 7 LIMIT ON THE AMMUNITION THAT MAY BE PURCHASED FOR ANY FIREARM, OR
 8 REQUIRING THE REGISTRATION OF ANY FIREARM OR ITS AMMUNITION; TO
 9 PROVIDE THAT ANY OFFICIAL, AGENT OR EMPLOYEE OF THE STATE OF
 10 MISSISSIPPI OR POLITICAL SUBDIVISION OF THE STATE WHO KNOWINGLY
 11 AND WILLFULLY ORDERS AN OFFICIAL, AGENT OR EMPLOYEE OF THE STATE
 12 OF MISSISSIPPI OR POLITICAL SUBDIVISION OF THE STATE TO ENFORCE
 13 ANY EXECUTIVE ORDER, AGENCY ORDER, LAW, RULE OR REGULATION OF THE
 14 UNITED STATES GOVERNMENT THAT HAS THE PURPOSE, INTENT, OR EFFECT
 15 OF CONFISCATING OR BANNING ANY FIREARM, LIMITING THE SIZE OF A
 16 MAGAZINE FOR ANY FIREARM, IMPOSING ANY LIMIT ON THE AMMUNITION
 17 THAT MAY BE PURCHASED FOR ANY FIREARM, OR REQUIRING THE
 18 REGISTRATION OF ANY FIREARM OR ITS AMMUNITION IS GUILTY OF A
 19 FELONY; AND FOR RELATED PURPOSES.

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

21 **SECTION 1.** This act is authorized by the following
 22 provisions of the Constitution of the United States and the
 23 Mississippi Constitution of 1890:

24 (a) Article 3, Section 12, Mississippi Constitution of
 25 1890, clearly secures to Mississippi citizens and prohibits



26 government interference with the right of individual Mississippi
27 citizens to keep and bear arms;

28 (b) The Tenth Amendment to the Constitution of the
29 United States guarantees to the states and their people all powers
30 not granted to the federal government elsewhere in the
31 constitution and reserves to the state and people of Mississippi
32 certain powers as they were intended at the time that Mississippi
33 was admitted to statehood in 1817; the guaranty of those powers is
34 a matter of contract between the state and people of Mississippi
35 and the United States as of the time that the compact with the
36 United States was agreed to and adopted by Mississippi and the
37 United States in 1817;

38 (c) The Ninth Amendment to the Constitution of the
39 United States guarantees to the people rights not granted in the
40 constitution and reserves to the people of Mississippi certain
41 rights as they were intended at the time that Mississippi was
42 admitted to statehood in 1817; the guaranty of those rights is a
43 matter of contract between the state and people of Mississippi and
44 the United States as of the time that the compact with the United
45 States was agreed upon and adopted by Mississippi and the United
46 States in 1817; and

47 (d) Article 3, Section 14, Mississippi Constitution of
48 1890, and the Fifth Amendment to the Constitution of the United
49 States guarantee to the people the right to due process.



50 **SECTION 2.** (1) No official, agent or employee of the State
51 of Mississippi or any political subdivision of the state shall
52 knowingly or willfully order to be enforced any federal executive
53 order, agency order, law, statute, rule or regulation issued,
54 enacted or promulgated that has the purpose, intent, or effect of
55 confiscating or banning any firearm, limiting the size of a
56 magazine for any firearm, imposing any limit on the ammunition
57 that may be purchased for any firearm, or requiring the
58 registration of any firearm or its ammunition.

59 (2) Any official, agent or employee of the State of
60 Mississippi or political subdivision of the state who knowingly
61 and willfully orders an official, agent or employee of the State
62 of Mississippi or political subdivision of the state to enforce
63 any executive order, agency order, law, rule or regulation of the
64 United States government as provided in subsection (1) of this
65 section shall be guilty of a felony and, upon conviction thereof,
66 shall be punished by commitment to the Mississippi Department of
67 Corrections for not less than one (1) year, or by a fine of not
68 less than Ten Thousand Dollars (\$10,000.00), or both. Nothing in
69 this section shall be construed to affect the law of search and
70 seizure as set forth in the fourth, fifth and fourteenth
71 amendments to the United States Constitution or Article 3, Section
72 23, Mississippi Constitution of 1890.

73 **SECTION 3.** This act shall take effect and be in force from
74 and after July 1, 2020.

