

**SF0081S3001**

1 Delete the Hutchings Committee of the Whole amendment  
2 (SF0081SW001/A) entirely;

3  
4 Delete the Bouchard Committee of the Whole amendment  
5 (SF0081SW003/A) entirely and further amend as follows:

6  
7 Page 1-lines 1 through 13 Delete entirely.

8  
9 Pages 2 through 13 Delete entirely and insert:

10  
11 "An ACT relating to firearms; prohibiting the enforcement of  
12 unconstitutional federal actions that infringe upon the right to  
13 bear arms; prohibiting the expenditure of public funds to enforce  
14 unconstitutional federal actions; authorizing executive orders and  
15 other actions to implement the act; providing for representation  
16 by the Wyoming attorney general of Wyoming citizens charged by the  
17 United States government under federal laws that  
18 unconstitutionally infringe upon the right to bear arms; providing  
19 rulemaking authority; providing an appropriation; and providing  
20 for an effective date.

21  
22 *Be It Enacted by the Legislature of the State of Wyoming:*

23  
24 **Section 1.** W.S. 9-14-103 is created to read:

25 **9-14-103. Prohibition on enforcement of certain federal**  
26 **laws; procedures.**

27  
28 (a) Upon the issuance of an executive order authorized under  
29 this section, no public officer or employee of this state or any  
30 political subdivision of this state, shall enforce, attempt to  
31 enforce or assist a federal agency or agent in the enforcement of  
32 any federal action which is the subject of the executive order.

33  
34 (b) Twenty-five (25) or more adult Wyoming residents, or an  
35 organization representing twenty-five (25) or more adult Wyoming  
36 residents, may file a petition requesting a review by the Wyoming  
37 attorney general of any federal action as defined in this section  
38 which was issued or enacted on or after July 1, 2021. The petition  
39 may include relevant views and arguments regarding the  
40 infringement of the federal action upon the constitutional right  
41 to keep and bear arms. The attorney general shall review the  
42 federal action and publicly issue a determination of whether the  
43 action unconstitutionally infringes upon the right to keep and

1 bear arms under the second amendment to the constitution of the  
2 United States. The attorney general shall issue the determination  
3 not later than thirty (30) days after the petition was received.  
4 The attorney general shall prescribe by rule the form of the  
5 petition and the procedure for its submission, consideration and  
6 disposition.

7  
8 (c) At any time after the submission of the petition, if the  
9 attorney general determines the federal action is  
10 unconstitutional, and if the governor independently determines the  
11 federal action appears to unconstitutionally infringe on the  
12 second amendment right to keep and bear arms, and further  
13 determines that prohibiting enforcement of the federal action  
14 under this section is in the best interests of the state, the  
15 governor may issue an executive order directing public officers  
16 and employees of this state or a political subdivision of the state  
17 that they are not to enforce, attempt to enforce or assist a  
18 federal agency or agent in the enforcement of the specified federal  
19 action.

20  
21 (d) No public officer or employee of this state or of a  
22 political subdivision of the state shall expend public funds or  
23 allocate public resources for the enforcement of a federal action  
24 which is the subject of an executive order issued under this  
25 section.

26  
27 (e) Nothing in this section shall be construed to prohibit  
28 or otherwise limit a public officer and employee of this state or  
29 of a political subdivision of the state from cooperating in an  
30 action with a federal agency if the primary purpose of the action  
31 is not enforcement of a federal action subject to an executive  
32 order issued under this section.

33  
34 (f) As used in this section, "federal action" includes laws,  
35 executive orders, administrative orders, rules, regulations,  
36 statutes and ordinances issued or enacted by the federal executive  
37 or legislative branches.

38  
39 **Section 2.** W.S. 9-14-101 is amended to read:

40  
41 **9-14-101. Second amendment defense.**

42  
43 (a) The attorney general may seek to intervene or file an  
44 amicus curiae brief in any lawsuit filed in any state or federal  
45 court in Wyoming, or filed against any Wyoming citizen or firm in  
46 any other jurisdiction for damages for injuries as a result of the  
47 use of fire arms that are not defective, if in his judgment, the

1 action endangers the constitutional right of citizens of Wyoming  
2 to keep and bear arms. The attorney general is directed to advance  
3 arguments that protect the constitutional right to bear arms.  
4 Before intervening in any lawsuit pursuant to this section, the  
5 attorney general shall obtain the approval of the governor.

6  
7 (b) The attorney general shall defend any citizen of Wyoming  
8 who is prosecuted by the United States government for violation of  
9 any federal action which is the subject of an executive order  
10 issued pursuant to W.S. 9-14-103(c).

11  
12 **Section 3.** The attorney general of the state of Wyoming may  
13 coordinate with the attorneys general of other states which have  
14 enacted laws similar to this act to develop appropriate responses  
15 to federal actions which violate the second amendment to the  
16 constitution of the United States.

17  
18 **Section 4.** There is appropriated two hundred fifty thousand  
19 dollars (\$250,000.00) from the general fund to the attorney  
20 general's office for the purposes of implementing this act. This  
21 appropriation shall not be transferred or expended for any other  
22 purpose. Any unobligated, unexpended funds remaining from this  
23 reappropriation on June 30, 2022 shall revert as provided by law.

24  
25 **Section 5.** This act is effective July 1, 2021.

26 (END)". HICKS