

SENATE BILL NO. 99

INTRODUCED BY C. SMITH, M. BLASDEL

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A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE ENFORCEMENT OF A POTENTIAL FEDERAL BAN ON FIREARMS ~~AND~~, MAGAZINES, AND AMMUNITION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Short title. [Sections 1 through 3] may be cited as the "Montana Federal Firearm ~~and~~, Magazine, AND AMMUNITION Ban Enforcement Prohibition Act".

NEW SECTION. Section 2. Definitions. As used in [sections 1 through 3], the following definitions apply:

(1) "Federal ban" means a federal law or executive order that prohibits, restricts, or requires individual licensure for ownership, possession, transfer, or use of any firearm or any magazine or other ammunition feeding device.

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

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

(4) "Political subdivision" means a city, town, county, or consolidated government.

NEW SECTION. Section 3. Prohibition of enforcement -- exceptions. (1) ~~(a)~~ A peace officer, state employee, or employee of a political subdivision is prohibited from enforcing, assisting in the enforcement of, or otherwise cooperating in the enforcement of a federal ban on firearms ~~or~~, magazines, OR AMMUNITION and is also prohibited from participating in any federal enforcement action implementing a federal ban on firearms ~~or~~, magazines, OR AMMUNITION.

~~(b) A peace officer, state employee, or employee of any political subdivision who violates [sections 1 through 3] is acting outside the course and scope of employment.~~



