

HOUSE BILL NO. HB0028

Firearm regulation.

Sponsored by: Representative(s) Lindholm, Blackburn, Blake, Clem, Greear, Loucks, MacGuire and Olsen and Senator(s) Coe, Driskill, Landen, Pappas and Schuler

A BILL

for

1 AN ACT relating to firearms; clarifying the applicability of
2 the preemption of firearms regulation by the state;
3 prohibiting governmental entities from operating firearm
4 buyback programs; conforming language; and providing for an
5 effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 6-8-401(c), by creating new subsections
10 (d) and (e) and 6-8-403(a)(vii) are amended to read:

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12 **6-8-401. Firearm, weapon and ammunition regulation and**
13 **prohibition by state; preemption of gun buyback programs.**

14

1 (c) The sale, transfer, purchase, delivery, taxation,
2 manufacture, ownership, transportation, storage, use and
3 possession of firearms, weapons and ammunition shall be
4 authorized, regulated and prohibited by the state, and
5 regulation thereof is preempted by the state. Except as
6 authorized by W.S. 15-1-103(a)(xviii) and 21-3-132 and as
7 otherwise specifically provided by this chapter, no city,
8 town, county, political subdivision or any other governmental
9 entity shall authorize, regulate or prohibit the sale,
10 transfer, purchase, delivery, taxation, manufacture,
11 ownership, transportation, storage, use, carrying or
12 possession of firearms, weapons, accessories, components or
13 ammunition. ~~except as specifically provided by this chapter.~~
14 This section shall not affect zoning or other ordinances which
15 encompass firearms businesses along with other businesses.
16 Zoning and other ordinances which are designed for the purpose
17 of restricting or prohibiting the sale, purchase, transfer or
18 manufacture of firearms or ammunition as a method of
19 regulating firearms or ammunition are in conflict with this
20 section and are prohibited.

21

22 (d) No city, town, county, political subdivision, state
23 agency or entity or any other governmental entity shall

1 operate a firearm buyback program or participate in the
2 implementation, administration or operation of a firearm
3 buyback program.

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5 (e) As used in this section:

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7 (i) "Ammunition" means any projectile expelled by
8 action of an explosive from a firearm;

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10 (ii) "Firearm" means any weapon which will or is
11 designed to expel a projectile by the action of an explosive;

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13 (iii) "Firearm accessories" means as defined in
14 W.S. 6-8-403(a)(iv);

15
16 (iv) "Firearm buyback program" means a program
17 designed to reduce the number of firearms, firearm
18 accessories or ammunition owned by members of the public
19 through the purchase of privately owned firearms, firearm
20 accessories or ammunition. The term does not include any other
21 program operated by a law enforcement agency to purchase
22 firearms, firearm accessories or ammunition to be used for
23 law enforcement purposes.

