

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

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

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

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

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

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

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

41
42 **9-14-101. Second amendment defense.**

43
44 (a) The attorney general may seek to intervene or file an
45 amicus curiae brief in any lawsuit filed in any state or federal
46 court in Wyoming, or filed against any Wyoming citizen or firm in
47 any other jurisdiction for damages for injuries as a result of the

1 use of fire arms that are not defective, if in his judgment, the
2 action endangers the constitutional right of citizens of Wyoming
3 to keep and bear arms. The attorney general is directed to advance
4 arguments that protect the constitutional right to bear arms.
5 Before intervening in any lawsuit pursuant to this section, the
6 attorney general shall obtain the approval of the governor.

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

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

18
19 **Section 5.** This act is effective July 1, 2021.

20 (END)".

21 To the extent required by this amendment, renumber as necessary.

22 HICKS