

HOUSE BILL NO. 733

INTRODUCED BY L. SCHUBERT, V. RICCI, K. LOVE, D. EMRICH, C. HINKLE, B. LER, M. NOLAND

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE ENFORCEMENT OF CERTAIN FEDERAL FIREARMS LAWS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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

NEW SECTION. **Section 1. Prohibition of certain federal firearms laws.** A federal law, rule, executive order, or regulation pertaining to firearms enacted after November 9, 1889, that is more restrictive than Montana laws pertaining to firearms may not be enforced by a peace officer, state employee, or employee of a political subdivision.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 45, chapter 8, part 3, and the provisions of Title 45, chapter 8, part 3, apply to [section 1].

NEW SECTION. **Section 3. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

NEW SECTION. **Section 5. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to a federal law, executive order, rule, or regulation adopted or enacted on or after November 8, 1889, or a new and more restrictive interpretation of a law that existed on November 8, 1889.

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