A bill to be entitled

An act relating to federal regulation of firearms; providing a short title; providing legislative findings; prohibiting specified actions to enforce certain federal regulations of firearms, firearm accessories, and ammunition; providing penalties; denying state funds to a state entity that violates such prohibition; providing that an official, agent, or employee who knowingly violates such prohibition is deemed resigned from his or her position and permanently ineligible for certain positions; providing that a service provider that violates such prohibition is permanently ineligible to provide services to or act on behalf of the state or a state entity; directing the Attorney General to defend persons against federal prosecution of certain federal regulations of firearms, firearm accessories, and ammunition; providing a directive to the Division of Law Revision and Information; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Second Amendment Preservation Act."

Section 2. (1) LEGISLATIVE FINDINGS.—The Legislature finds that:

(a) The Second Amendment to the United States Constitution reads: "A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

(b) The Ninth Amendment to the United States Constitution reads: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

(c) The Tenth Amendment to the United States Constitution reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

(d) Section 8, Article I of the United States Constitution does not provide the Federal Government with authority to impose acts, laws, orders, rules, or regulations relating to personal firearms, firearm accessories, or ammunition in this state.

(e) Therefore, all federal acts, laws, orders, rules, or regulations regarding personal firearms, firearm accessories, and ammunition in this state violate the Second Amendment, Ninth Amendment, and Tenth Amendment to, and Section 8, Article I of, the United States Constitution and accordingly are void.

(2) PROHIBITION ON PARTICIPATION IN FEDERAL VIOLATION OF SECOND AMENDMENT.—

(a) A federal act, law, order, rule, or regulation that violates the Second Amendment to the United States Constitution is invalid in this state.

(b) An agency or political subdivision of the state, or an employee thereof, acting in an official capacity, or a person or corporation providing services on behalf of the state or an agency or political subdivision of the state, may not:

1. Enforce a federal act, law, order, rule, or regulation regarding a personal firearm, firearm accessory, or ammunition in this state.

2. Provide material support to, participate with, or assist, in any form, a federal agency or employee engaged in the enforcement of, or an investigation pursuant to the enforcement of, a federal act, law, order, rule, or regulation regarding a personal firearm, firearm accessory, or ammunition in this state.

3. Use state assets, state funds, or funds allocated by the state to local entities on or after the effective date of this act, in whole or in part, to engage in an activity that aids a federal agency, federal agent, or person or corporation providing services to the Federal Government in the enforcement of, or an investigation pursuant to the enforcement of, a federal act, law, order, rule, or regulation regarding a personal firearm, firearm accessory, or ammunition in this state.

For purposes of this paragraph, enforcement does not include performance of an act solely for the purpose of facilitating the transfer of firearms under federal law. An order of enforcement that occurs on or after the effective date of this act is a breach of the oath of office of the official, agent, or employee of an agency or political subdivision of the state.

(3) PENALTIES.—

(a) An agency or political subdivision of the state may not receive state funds if the agency or political subdivision adopts a rule, order, ordinance, or policy that violates subsection (2). The agency or political subdivision shall be denied state funds for the fiscal year after the year in which a final judicial determination is made in an action brought under this section that the agency or political subdivision intentionally participated in or required actions that violate subsection (2).

(b) An official, agent, or employee of an agency or political subdivision of the state who knowingly violates subsection (2) is deemed to have resigned any commission from this state that he or she possesses, his or her position or office is deemed vacant, and he or she is permanently ineligible for a position or office of trust, honor, or emolument.

(c) A person or corporation that provides services to or acts on behalf of the state or an agency or political subdivision of the state that violates subsection (2) is permanently ineligible to provide services to or act on behalf of the state or an agency or political subdivision of the state.

(4) ATTORNEY GENERAL.—The Attorney General shall defend any person who is prosecuted by the Federal Government for a violation of a federal act, law, order, rule, or regulation regarding a personal firearm, firearm accessory, or ammunition in this state.

Section 3. The Division of Law Revision and Information is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date this act takes effect.

Section 4. This act shall take effect upon becoming a law.