



ARIZONA STATE SENATE
Fifty-First Legislature, First Regular Session

FACT SHEET FOR S.B. 1112

Arizona firearms; prohibited enforcement...

Purpose

Prohibits public servants and federally licensed firearms dealers from enforcing any U.S. government act, law, statute, rule or regulation. Establishes an offense for U.S. government officials, agents or employees to enforce firearm-related acts, orders, laws, statutes, rules or regulations. Allows the Attorney General (AG) to defend Arizona citizens prosecuted by the federal government for a firearm-related violation, and declares certain firearm-related laws and regulations unenforceable in Arizona.

Background

A.R.S. § 13-3101 defines a firearm as “any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive.” Firearm does not include a firearm in permanently inoperable condition.

Laws 2010, Chapter 18, states that a personal firearm, firearm accessory (accessory) or ammunition manufactured commercially or privately in Arizona and remaining within Arizona’s borders is not subject to federal law or regulations under the authority of Congress to regulate interstate commerce and is not considered to have traveled in interstate commerce. The firearms manufactured and sold in this state must have “made in Arizona” clearly stamped on a central metallic part of the firearm and certain exclusions apply. Another bill in 2010 further restricted localities from enacting regulations on the transfer and possession of firearms (Laws 2010, Chapter 19).

The fiscal impact related to this legislation to the state General Fund is unknown.

Provisions

1. Prohibits officials, agents or employees of the U.S. government from enforcing or attempting to enforce any act, order, law, statute, rule or regulation of the U.S. government relating to a personal firearm, accessory or ammunition that is owned or manufactured commercially or privately in this state and that remains exclusively within Arizona’s borders.
2. Classifies the above offense as a class 6 felony.
3. Prohibits public servants and federally licensed dealers who sell firearms in this state from enforcing or attempting to enforce any act, law, statute, rule or regulation of the U.S. government relating to a personal firearm, accessory or ammunition that is owned or

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manufactured commercially or privately in this state and that remains exclusively within Arizona's borders.

4. Permits the AG to defend an Arizona citizen who is prosecuted by the U.S. government for violation of federal law relating to the manufacture, sale, transfer or possession of a firearm, accessory or ammunition that is owned or manufactured and that is retained exclusively within Arizona's borders.
5. Proclaims any federal law, rule, regulation or order that is effective on or after January 1, 2013 is unenforceable within Arizona's borders if the law, rule, regulation or order attempts to do any of the following:
 - a) ban or restrict ownership of a semiautomatic firearm or any firearm magazine; or
 - b) require any firearm, magazine or other accessory to be registered in any matter.
6. Defines public servant as any officer or employee of this state or its political subdivisions, including legislators and judges, and any person who participates, as juror, witness, advisor, consultant or otherwise, in performing a government function.
7. Becomes effective on the general effective date.

Prepared by Senate Research

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