

HB 1175 -- REENACTING PORTIONS OF THE SECOND AMENDMENT PRESERVATION ACT

SPONSOR: Hardwick

This bill establishes the "Second Amendment Preservation Act".

The following Federal actions will be considered infringements of the Second Amendment:

- (1) Any tax, levy, fee, or stamp imposed on firearms or ammunition, as described in the bill;
- (2) Any registration or tracking of firearms or ammunition;
- (3) Any registration or tracking of the ownership of firearms or ammunition;
- (4) Any act forbidding the possession, ownership, use, or transfer of a firearm or ammunition; and
- (5) Any act ordering the confiscation of firearms or ammunition.

This bill further holds that all Federal laws or regulations that infringe upon the Second Amendment will be invalid in Missouri. It will be the duty of the courts and law enforcement of Missouri to protect these rights.

No entity or person will have the authority to enforce Federal acts that infringe upon the Second Amendment. Any political subdivision that employs a law enforcement officer who knowingly violates these provisions will be subject to a civil penalty of \$50,000 per occurrence. Any person whose Second Amendment rights are injured can pursue injunctive relief, and a court may issue a temporary restraining order. If such legal action is taken, sovereign immunity will not be an affirmative defense.

Any political subdivision or law enforcement agency that knowingly employs an individual who infringes a citizen's Second Amendment rights, or who gives material aid and support to another who infringes a citizen's Second Amendment rights will be subject to a civil penalty of \$50,000 per employee. If such legal action is taken, sovereign immunity will not be an affirmative defense.

It will not be considered a violation of law to provide material aid to federal prosecution for:

- (1) Felony crimes against a person when such prosecution includes weapons violations substantially similar to those found in existing

Missouri criminal law statutes, so long as such weapons violations are merely ancillary to such prosecution; or

(2) Class A or Class B felony violations substantially similar to those found in Missouri criminal statute when such prosecution includes weapons violations that are merely ancillary to such prosecutions.

The provisions in this bill will be applicable to offenses occurring on or after August 28, 2025.

This bill is similar to HB 1060 (2025); and SB 135 (2025) .