

HB 3070 -- SECOND AMENDMENT PRESERVATION ACT

SPONSOR: Hardwick

This bill re-establishes the "Second Amendment Preservation Act" by repealing language deemed unconstitutional.

FINDINGS AND DECLARATIONS (Section 1.411)

The bill states certain findings about the duties, powers, and role of both the Federal and state government, as described in the bill, including the right to bear arms, as described in the bill.

LIMITATION OF POWERS (Section 1.421)

This bill further states that no entity or person, including anyone employed by state or local government, has the authority to enforce any of the following Federal laws or regulations:

- (1) Any tax imposed on firearms or any related product that might reasonably be expected to create a chilling effect on the purchase or ownership of such goods;
- (2) Any registration or tracking of firearms;
- (3) Any registration or tracking of the ownership of firearms or any related product;
- (4) Any act forbidding the possession, ownership, use, or transfer of a firearm or any related product; and
- (5) Any act ordering the confiscation of firearms or any related products from law-abiding citizens.

Nothing will prohibit Missouri officials from accepting aid from Federal officials in an effort to enforce Missouri laws.

CIVIL PENALTY FOR VIOLATIONS (Sections 1.461 and 1.471)

The bill requires any political subdivision or law enforcement agency that employs a law enforcement officer who knowingly violates these provisions or knowingly deprives a Missouri citizen their right to bear arms be subject to a civil penalty of \$50,000 per occurrence. Any person injured by such a violation will have standing to pursue injunctive relief, and the court must hold a hearing on such matters within 30 days.

Any political subdivision or law enforcement agency that employs someone who previously worked for the Federal government or who acts under the color of Federal law in Missouri, and who knowingly commits certain acts, as defined in the bill, will be subject to a civil penalty of \$50,000 per employee hired by the political subdivision or law enforcement agency. Each employee hired must subject the political subdivision or law enforcement agency to a separate civil penalty. Any person residing or conducting business in a jurisdiction who believes that an individual has violated these provisions must have standing to pursue injunctive relief, and the court must hold a hearing on such matters within 30 days.

EXCEPTION FOR PROVIDING MATERIAL AID (Section 1.481)

It will not be considered a violation of the provisions in this bill to provide material aid, as that term is defined in the bill, to Federal officials who are in pursuit of a suspect when there is a clear criminal connection with another state or country and such suspect is neither a Missouri citizen nor present in this State.

Additionally, this bill specifies it will not be considered a violation of the provisions in this bill 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 current law so long as such violations are merely ancillary to such prosecution; or

(2) Class A or Class B felony violations substantially similar to those found in current law so long as such violations are merely ancillary to such prosecution.

The provisions of this bill must be applicable to offenses occurring on or after August 28, 2026.

SEVERABILITY (Section 1.484)

If any provision in this bill is held invalid, such a determination must not affect those provisions that can be given effect without the invalidated provisions.

This bill is similar to HCS HB 1175 (2025).