

HB 3130 -- CONSTITUTIONAL LIBERTIES

SPONSOR: Plank

This bill establishes the "Pretti-Good Act", which relates to constitutional liberties.

FINDINGS AND DECLARATIONS (Section 1.411)

This bill states certain findings about the duties, powers, and the role of both the Federal and State governments, as described in the bill, including the right to bear arms and the right to assess the legality of searches and seizures.

LIMITATION OF POWERS (Section 1.451)

This bill further states that no public officer or employee of this State or of a political subdivision has the authority to enforce any Federal laws or regulations regarding firearms or firearm accessories or that allow peace officers acting within the borders of this State to use facial coverings or refuse to identify themselves or the authority under which the officers act.

Nothing in the bill prohibits Missouri officials from accepting aid from Federal officials in an effort to enforce Missouri laws.

CIVIL PENALTY FOR VIOLATIONS (Section 1.461 and Section 1.471)

Any political subdivision or law enforcement agency that employs a law enforcement officer who knowingly violates these provisions or knowingly deprives a Missouri citizen of his or her right to bear arms or to be free from unreasonable searches and seizures will 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 shall 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 will 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 will 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 and support", 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 Missouri.

It is considered a violation of the provisions in this bill to provide material aid to Federal prosecution for:

(1) Felony crimes against a person when the prosecution includes weapons violations substantially similar to those found in Missouri law so long as the violations are merely ancillary to the prosecution; or

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

The provisions of this bill will 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 will not affect those provisions that may be given effect without the invalidated provisions.

#### SECOND AMENDMENT PRESERVATION ACT (Sections 1.410 to 1.485)

The Second Amendment Preservation Act has been repealed.