

1 SB8
2 214256-1
3 By Senator Allen (Constitutional Amendment)
4 RFD: Judiciary
5 First Read: 11-JAN-22
6 PFD: 09/10/2021

8 SYNOPSIS: Under existing constitutional law, the
9 federal government may not require a state or its
10 officers to administer or enforce a federal
11 regulatory program.

12 This bill would propose an amendment to the
13 Constitution of Alabama of 1901, to create the
14 Alabama Firearm Protection Amendment, to provide
15 that no public funds of this state or any political
16 subdivision of this state may be allocated for the
17 enforcement of, and, when acting in an official
18 capacity, no appointed or elected official,
19 officer, employee, or agent of the state, or any
20 political subdivision thereof, shall enforce, any
21 executive order issued by the President of the
22 United States that becomes effective after January
23 1, 2021, which limits or restricts the ownership,
24 use, or possession of firearms, ammunition, or
25 firearm accessories by law-abiding residents of the
26 state.

1 A BILL
2 TO BE ENTITLED
3 AN ACT
4

5 Relating to firearms; to propose an amendment to the
6 Constitution of Alabama of 1901, to provide prohibitions on
7 the use of certain public resources and personnel to enforce
8 certain federal executive orders relating to firearms, firearm
9 accessories, and ammunition.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. The following amendment to the
12 Constitution of Alabama of 1901, as amended, is proposed and
13 shall become valid as a part thereof when approved by a
14 majority of the qualified electors voting thereon and in
15 accordance with Sections 284, 285, and 287 of the Constitution
16 of Alabama of 1901, as amended:

17 PROPOSED AMENDMENT

18 (a) This section shall be known and may be cited as
19 the Alabama Second Amendment Preservation Act.

20 (b) Notwithstanding any provision of law to the
21 contrary, no public funds of this state or any political
22 subdivision of this state may be allocated for the enforcement
23 of, and, when acting in an official capacity, no appointed or
24 elected official, officer, employee, or agent of the state, or
25 any political subdivision thereof, shall enforce, any
26 executive order issued by the President of the United States
27 that becomes effective after January 1, 2021, which limits or

1 restricts the ownership, use, or possession of firearms,
2 ammunition, or firearm accessories by law-abiding residents of
3 the state.

4 Section 2. An election upon the proposed amendment
5 shall be held in accordance with Sections 284 and 285 of the
6 Constitution of Alabama of 1901, now appearing as Sections 284
7 and 285 of the Official Recompilation of the Constitution of
8 Alabama of 1901, as amended, and the election laws of this
9 state.

10 Section 3. The appropriate election official shall
11 assign a ballot number for the proposed constitutional
12 amendment on the election ballot and shall set forth the
13 following description of the substance or subject matter of
14 the proposed constitutional amendment:

15 "Proposing an amendment to the Constitution of
16 Alabama of 1901, to ratify the Alabama Second Amendment
17 Preservation Act to provide prohibitions on the use of certain
18 public resources and personnel to enforce certain federal
19 executive orders relating to firearms, firearm accessories,
20 and ammunition.

21 "Proposed by Act _____."

22 This description shall be followed by the following
23 language:

24 "Yes () No ()."