



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: JUD DP 5-3-0-0 | 3<sup>rd</sup> Read DP 31-29-0-0-0

Senate: GOV DP 5-3-0-0 | 3<sup>rd</sup> Read DP 16-14-0-0-0

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## **HB 2394: firearms; sovereign authority**

**Sponsor: Representative Smith, LD 29**

**Vetoed**

### **Overview**

Clarifies the scope of federal measures regulating firearms that the state may not use resources to enforce if they are inconsistent with Arizona law.

### **History**

The Arizona Constitution permits the state to exercise its sovereign authority to restrict the use of state personnel and resources to purposes consistent with the Constitution, including through legislation or any other available legal remedy. If the state exercises this authority, the state and its political subdivisions are prohibited from using any personnel or resources to enforce, administer or cooperate with the designated federal action or program ([Ariz. Const. art. 2, § 3](#)).

Pursuant to this authority, [Laws 2021, Chapter 182, § 1](#), entitled the *2nd Amendment Firearm Freedom Act*, prohibits this state or its subdivisions from using personnel or resources to enforce, administer or cooperate with any act, law, treaty, order, rule or regulation of the federal government that is inconsistent with Arizona law regarding firearm regulation ([A.R.S. § 1-272](#)).

### **Provisions**

1. Clarifies that federal firearm measures that may not be enforced if inconsistent with Arizona law include any tax, levy, fee or stamp imposed on firearms, firearm accessories or ammunition not common to all other goods and services and that might reasonably be expected to create a chilling effect on the purchase or ownership of those items by law-abiding citizens.

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note