



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

Senate: JUD DP 4-3-0-0 | 3rd Read DP 16-10-4-0-0

House: JUD DP 6-3-0-0 | 3rd Read DP 31-28-0-0-1

SB 1189: political subdivisions; gun shows; preemption

Sponsor: Senator Wadsack, LD 17

Vetoed

Overview

Proscribes an Arizona political subdivision (Subdivision) from prohibiting a gun show from occurring within the Subdivision.

History

Current statute prohibits Subdivisions from enacting any ordinance, rule or tax relating to the transportation, possession, carrying, sale, transfer, purchase, acquisition, gift, devise, storage, licensing, registration, discharge or use of firearms or ammunition, any firearm or ammunition components or related accessories in Arizona. Additionally, Subdivisions may not require the licensing or registration of firearms or ammunition, any firearm or ammunition components or related accessories. Subdivisions cannot prohibit the ownership, purchase, sale or transfer of firearms or ammunition, any firearm or ammunition components or related accessories.

Subdivisions are prohibited from requiring or maintaining any record, whether permanent or temporary, which contains the following information:

- 1) any identifying information of a person who leaves a weapon in temporary storage at a public establishment beyond what is necessary for the owner to retrieve the firearm;
- 2) any identifying information of a person who owns, possesses, purchases, sells or transfers a firearm; and
- 3) the description, including the serial number, of a weapon that is left in temporary storage at a public establishment or event.

A Subdivision is prohibited from enacting any rule or ordinance that relates to firearms and is more prohibitive than or that has a penalty that is greater than any state law penalty. Any rule or ordinance inconsistent with or more restrictive than state law is null and void ([A.R.S. § 13-3108](#)).

Firearm is defined as any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive, and does not include a firearm in permanently inoperable condition. *Firearm accessory* is defined to mean an item that is used in conjunction with or mounted on a firearm but that is not essential to the basic function of a firearm, including telescopic or laser sights, magazines, flash suppressors, folding or aftermarket stocks and grips, speed loaders, ammunition carriers and lights for target illumination (A.R.S. § § [13-3114](#), [13-3101](#)).

Provisions

1. Proscribes a Subdivision from prohibiting a gun show from occurring within the Subdivision or enacting or enforcing any rule or policy that primarily affects and effectively prohibits a gun show from occurring. (Sec. 1)
2. Makes technical and conforming changes. (Sec. 1)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note