

# HOUSE BILL NO. 5132

October 12, 2023, Introduced by Reps. Johnsen, Schriver, Smit, Cavitt, Markkanen, Jaime Greene, Neyer, BeGole, Slagh, Alexander, Rigas, Phil Green, Wendzel, Bezotte and Aragona and referred to the Committee on Judiciary.

A bill to prohibit the enforcement of certain federal laws in this state; and to provide for damages and remedies.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. As used in this act, "person" means an individual,  
2 partnership, corporation, association, governmental entity, or  
3 other legal entity.

4           Sec. 3. (1) Any federal law, rule, regulation, executive  
5 order, or administrative order is unenforceable in this state if  
6 the law, rule, regulation, executive order, or administrative order  
7 does any of the following:

1 (a) Imposes a tax, levy, fee, or stamp on firearms, firearm  
2 accessories, or ammunition not common to all other goods and  
3 services and that might reasonably be expected to inhibit the  
4 purchase or ownership of those items.

5 (b) Requires the registration or tracking of firearms, firearm  
6 accessories, or ammunition.

7 (c) Requires the registration or tracking of the owners of  
8 firearms, firearm accessories, or ammunition.

9 (d) Prohibits the possession, ownership, use, or transfer of a  
10 firearm, firearm accessory, or ammunition.

11 (e) Orders the confiscation of firearms, firearm accessories,  
12 or ammunition.

13 (2) An employee of this state or an employee of a political  
14 subdivision of this state shall not enforce or attempt to enforce  
15 any federal law, rule, regulation, executive order, or  
16 administrative order described in subsection (1) in this state.

17 (3) An individual who knowingly enforces or attempts to  
18 enforce any federal law, rule, regulation, executive order, or  
19 administrative order described in subsection (1) in this state is  
20 subject to a fine of \$10,000.00 for each violation.

21 (4) A political subdivision of this state shall not knowingly  
22 employ an individual who enforced or attempted to enforce any  
23 federal law, rule, regulation, executive order, or administrative  
24 order described in subsection (1) in this state. A political  
25 subdivision that violates this subsection is subject to a fine of  
26 \$10,000.00 for each violation.

27 (5) Any person injured under this section may bring an action  
28 for injunctive relief in the circuit court of the county in which  
29 the violation allegedly occurred. The court shall hold a hearing

1 not later than 30 days after service of the petition. In an action  
2 brought under this subsection, the court may award the prevailing  
3 party, except for this state or any political subdivision of this  
4 state, reasonable attorney fees and court costs.