



Written by [Peter Rykowski](#) on June 14, 2021

Missouri Nullifies Federal Gun Control with New Law

In a major victory for liberty and the [U.S. Constitution](#), Missouri enacted legislation over the weekend to enforce the Second Amendment in the face of leftist efforts to subvert it.

On Saturday, Governor Mike Parson [signed](#) into law [HB 85](#), titled the Second Amendment Preservation Act, or SAPA. With the bill's enactment, Missouri joins the growing number of [states](#) and [localities](#) with "[Second Amendment Sanctuary](#)" laws nullifying unconstitutional gun control laws that violate the Constitution.



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Constitutional activists had been trying to pass SAPA [since 2013](#), when the legislature passed the bill only to see it vetoed by then-Governor Jay Nixon, a Democrat. SAPA's enactment marks the culmination of these efforts.

SAPA's Provisions

Missouri's SAPA is one of the strongest and broadest "Second Amendment Sanctuary" laws in the country.

The law makes several declarations, including support for a limited federal government as stipulated in the Tenth Amendment, the invalidity of federal powers not enumerated in the Constitution, and an elaboration of what policies the federal government and the Missouri state government can and cannot constitutionally enforce.

Next, the law gives a list of policies, which might be contained in "federal acts, laws, executive orders, administrative orders, court orders, rules, and regulations," that violate the U.S. Constitution's [Second Amendment](#) and Article I, Section 23, of [Missouri's constitution](#). These include any tax that might discourage firearm purchases or ownership; gun confiscation laws; laws that prohibit law-abiding individuals to own, use, or transfer firearms; and laws mandating the tracking and registration of firearms, gun owners, gun accessories, or ammunition.

Most important, the law nullifies both past and future unconstitutional firearm restrictions. Additionally, while the SAPA does not name any specific federal laws, the Tenth Amendment Center [reports](#) that the 1934 National Firearms Act and the 1968 Gun Control Act are included among the nullified laws.

The rest of the law primarily ensures that government officials at the state and local levels do not enforce the listed unconstitutional federal gun-control policies and provides citizens with a means of redress if their self-defense rights are violated.

Nullification in Action

At the bill signing ceremony, [held](#) in the city of Lee's Summit, Governor Parson [stated](#):

This legislation today draws a line in the sand and demonstrates our commitment to reject



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any attempt by the federal government to circumvent the fundamental right Missouriians have to keep and bear arms to protect themselves and their property. ... HB 85 puts those in Washington D.C. on notice that here in Missouri we support responsible, law-abiding gun owners, and that we oppose government overreach and any unlawful efforts to limit our access to firearms.

Parson's mention of the federal government is more relevant today than ever. Since taking office in January, the Biden administration has been advancing an increasing number of new gun controls. These include [executive orders](#) to ban pistol braces and so-called "ghost guns." Meanwhile, both [Biden](#) and his [anti-Second Amendment](#) nominee to lead the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), [David Chipman](#), have called for banning AR-15 rifles.

With such policies emanating from the federal government, it is necessary for the states to enforce the Constitution. They can do this under [Article VI](#) of the U.S. Constitution, which [states](#) that "[t]his Constitution, and the Laws of the United States which shall be made in Pursuance thereof ... shall be the supreme Law of the Land."

The SAPA is an excellent application of this. Since the various forms of infringement outlined in its text violate the Second Amendment and, by extension, the U.S. Constitution, they cannot be considered "made in Pursuance thereof" and, thus, are not "the supreme Law of the Land."

Other states should take note of Missouri's SAPA and not only enact similar legislation but also to [nullify](#) unconstitutional federal laws on [other](#) important topics. By taking robust action to enforce the Constitution, patriots can begin rolling back the federal government's decades-long unconstitutional expansion.



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