

Court Strikes Down Missouri Gun Law: "Unconstitutional!"



On Tuesday, a U.S. federal judge ruled that a Missouri state law declaring several federal gun laws as "invalid" is unconstitutional. This decision is a victory for the U.S. Justice Department, which sought to overturn the law. The law, known as the Second Amendment Preservation Act (SAPA), was signed into law by Republican Governor Mike Parson in 2021. SAPA declared that certain federal gun laws violated the rights of individuals to keep and bear arms under the Second Amendment of the U.S. Constitution.

However, U.S. District Judge Brian Wimes in Jefferson City, Missouri, ruled that SAPA violates the Supremacy Clause of the U.S. Constitution, which holds that federal laws take precedence over conflicting state laws. Wimes, an appointee of former President Barack Obama, sided with Democratic President Joe Biden's administration and called SAPA's practical effects "counterintuitive to its stated purpose."

Judge Wimes stated that while SAPA purports to protect citizens, it exposes citizens to greater harm by interfering with the federal government's ability to enforce lawfully enacted firearms regulations designed by Congress to protect citizens. This ruling is significant because it recognizes that federal gun laws are necessary to protect citizens and that states cannot nullify them without violating the Constitution's Supremacy Clause.

Missouri Attorney General Andrew Bailey, a Republican, vowed to appeal the decision, stating that he is committed to "defending Missourians' fundamental right to bear arms." He also said that if the state legislature wants to expand upon the foundational rights codified in the Second Amendment, they have the authority to do so.

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U.S. Attorney General Merrick Garland expressed his satisfaction with the judge's decision, stating that it would allow Missouri federal, state, and local law enforcement agencies to work together to keep their communities safe from gun violence.

Under Missouri law, state or local law enforcement agencies could face a \$50,000 fine if they knowingly enforced federal laws that SAPA nullified. In a lawsuit filed in February 2022, the Justice Department argued that the law had caused many state and local law enforcement agencies to stop voluntarily assisting in enforcing federal gun laws or even providing investigative assistance.

This ruling has significant implications for the gun control debate in the United States. It reaffirms the federal government's authority to enact gun control laws and ensures that states cannot nullify them. It also demonstrates the importance of the Supremacy Clause in maintaining a consistent and uniform application of federal law across the country.

Overall, this decision is a win for the Biden administration's efforts to enact stricter gun control measures and protect citizens from gun violence.