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Schultheis vows to shore Coloradans' right to arms— and Colorado's rights—with Montana-style 'Firearms Freedom Act'

Veteran Colorado Springs Republican Sen. Dave Schultheis—a longtime champion of the right to arms as well as of states' rights—has announced he will sponsor a bill in the 2010 legislature that will safeguard both.

Inspired by recently enacted legislation in Montana, Schultheis's Colorado Firearms Freedom Act would make sure that only Colorado laws—not a labyrinth of regulations arbitrarily imposed by Congress and federal bureaucrats—govern any firearms, accessories or ammo that are manufactured and sold in the state.

Not only would the effort create a buffer against federal encroachment on Colorado-made guns, Schultheis said, but it also would reassert an oft-overlooked provision in the Bill of Rights—the 10th Amendment—which was intended by the nation's founders to preserve states' authority over wide-ranging policies.

“It's not simply a gun issue, it's a states' rights issue,” he said. “This is not a radical idea. We're not saying anything that the 10th Amendment didn't say over two centuries ago.”

Schultheis said Montana's legislature and Democrat governor enacted a similar measure not long ago, and a number of other states, including Texas and Utah, are

considering following suit.

Schultheis said the proposal prevents federal laws from restricting guns, ammo and accessories manufactured and bought in Colorado because such items would not be introduced into interstate commerce. Congress long has used interstate commerce as a premise to justify expanding its regulation of various goods and services, including guns.

The senator also noted that removing federal controls hardly would result in unregulated firearms in the state.

“Colorado can and does have many of its own laws governing firearms rights now, and it would continue to ,” he said. “My proposal is simply about getting the federal government to mind its own business.”

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