

109TH CONGRESS
1ST SESSION

H. R. 1566

To provide a technical correction to the Federal preemption of State or local laws concerning the markings and identification of imitation or toy firearms entering into interstate commerce.

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2005

Mr. ISSA introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To provide a technical correction to the Federal preemption of State or local laws concerning the markings and identification of imitation or toy firearms entering into interstate commerce.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Toy Gun Marking Im-
5 provement Act”.

1 **SEC. 2. PREEMPTION OF STATE OR LOCAL LAWS CON-**
2 **CERNING THE MARKINGS AND IDENTIFICA-**
3 **TION OF IMITATION OR TOY FIREARMS.**

4 Section 4(g) of the Federal Energy Management Im-
5 provement Act of 1988 (15 U.S.C. 5001(g)) is amended
6 by striking “which provide for markings” and all that fol-
7 lows through “firearm developed prior to 1898; or” and
8 inserting the following: “relating to markings, identifica-
9 tion, or sale of toy, look-alike, and imitation firearms. No
10 State or local subdivision shall—

11 “(1) prohibit the sale or manufacture of any
12 look-alike, nonfiring, toy or collector replica of an
13 antique firearm developed prior to 1898; or”.

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