



March 10, 2026

The Honorable Bo Biteman
President of the Wyoming Senate
State Capitol, 200 West 24th Street
Cheyenne, Wyoming 82002

Re: Veto of Senate Enrolled Act No. 64 / Senate File 0101 Second Amendment Protection Act amendments-3

Dear President Biteman,

It sincerely pains me to need to write this letter again this year. Following the passage of the nearly identical SF 196 Second Amendment Protection Act (SAPA) amendments during the 2025 General Session, I submitted my veto message, which outlined the litany of troubling language, problematic consequences, and irreconcilable issues. These concerns were completely ignored by the legislators advancing this newest iteration and still stand today. Leaving the question of whether Wyoming "Backs the Blue." If this bill became law it makes the job of locally elected sheriffs and trusted community law enforcement officers even more perilous.

All of this at the beck and call of certain out-of-state snake oil salesmen who have peddled a narrative that your Sheriffs - whom we elect - are somehow going to be deviously complicit with any federal agency's effort to take your firearm. Furthermore, this legislature has decided that the only way to keep our local law enforcement honest is to threaten them with punishment. I ask you - who in Wyoming is going to vote for a dishonorable sheriff? Do we really trust the word of some shadowy character on Zoom spinning hypotheticals over the folks who live in our communities and have to stand for election?

Please note that every single one of Wyoming's twenty-three duly elected sheriffs, numerous community police chiefs, and state law enforcement officials spoke out to list their concerns throughout the legislative session to no avail. Whether it is willful ignorance of their appeals or blind acceptance of the voices seeking to disparage them, I am sickened to see our local and state law enforcement treated this way in Wyoming.

I have said it before, and more importantly, it cannot be successfully contradicted, the Second Amendment is sacred in Wyoming. Moreover, I wholeheartedly support and defend the words of

the Second Amendment enshrined in the Bill of Rights and our US Constitution. I have sworn an oath and acted to uphold and defend our national and state Constitutions multiple times. These words could not be more preeminent than today as we celebrate the 250th anniversary of the original penning of these values as a nation. More to the point ask any Wyoming citizen, including our law enforcement, if they value their Second Amendment Rights and the answer will unrepentantly be a resounding “yes absolutely!”

Nevertheless, there are those unscrupulous purveyors of fear who have made a slick living out of stirring anxiety in our citizens, threatening politicians with inflammatory propaganda, and fostering false choices only to walk off whether their efforts succeed or fail with carloads of cash to fuel future gotcha campaigns. I find it sad that we would lose faith in our neighbors who serve as others from out-of-stater, cynically exploiting our passion to defend this fundamental right. The game is fun and lucrative for political operatives but consequential and treacherous for those who protect and serve.

The debate on the floor of both chambers over amendments to this bill revealed the bill’s true intent. Allowing *any* interested party beyond the person actually harmed to bring a lawsuit against a local law enforcement agency is the tell. This legislation is an ambulance chasing activist litigator’s meal ticket wrapped in a politically sacred wrapper of “Second Amendment Protection”.

We fall prey to this deception at the risk of compromising the values of Wyoming’s people and the trust placed in their votes for their sheriffs as well as devaluing our faith in the Trump Administration. This bill, even with its strained and ambiguous carveouts, will have a stifling impact on state and local partnerships with federal law enforcement agencies. Illegal immigration, drug smuggling, human trafficking - major enforcement initiatives of President Trump’s - will all be hindered as a consequence of this bill.

I have attached a letter from Acting Director Todd Lyons of U.S. Immigration and Customs Enforcement outlining in greater detail some of the issues this bill raises for law enforcement. While overlooking the concerns local Wyoming law enforcement brought forward in testimony, legislators might want to carefully consider the Trump Administration's perspectives on this legislation. This bill puts at risk Wyoming’s ability to cooperate with immigration enforcement and drug related crimes. I believe if this Act were to become law, our legislature would have unwittingly made Wyoming something of a “sanctuary” state impeding the cooperative efforts of federal and local law officers. That would be a tragedy.

This legislation might embolden radical protestors like those we have seen in Portland and Minneapolis. For my part, I will not sit idly by to watch Wyoming become a cartel loophole for weapons smuggling.

As mentioned above, the pitiful and slapdash carveouts in this bill are woefully inefficient:

- State residency cannot be immediately determined by a responding officer called to an emergency.
- Our system of government treats every person as “law abiding” until proven otherwise in a court of law.
- An individual being convicted “solely” of a federal firearm violation is neither in the control of any police officer, nor able to be defensibly determined before “material aid” may have been provided.
- State and federal laws do not always overlap, leaving items like domestic violence firearm restrictions and straw purchases unenforceable at the local level.

I cannot stress enough that these issues are impossible to overlook.

Then there is this: If an order is given on the federal level to seize law-abiding Wyoming citizens’ firearms, state and local law enforcement cannot be forced to administer or enforce any of their regulations. Under the Anti-Commandeering Doctrine articulated by the U.S. Supreme Court’s landmark ruling in *Printz v. United States*, the federal government cannot “commandeer” state officials nor “impress into its service” the police officers of the states. 521 U.S. 898, 922-29 (1997). Wyoming’s elected sheriffs recently showed their willingness to stand up to federal overreach on recreation rules in Resource Management Plans. Why is it necessary to intimidate our first responders who answer directly to the voters of our state?

If there remain any loopholes in Wyoming’s existing SAPA statutes, those more properly could be worked out and better understood in an open and cooperative process. I have faith in the people of Wyoming – not so much for those conflict merchants who fear monger and fabricate a false sense of urgency that local law enforcement will somehow assist the feds in unlawful efforts to grab guns. Hyperbole and conjecture are not excuses to pass inferior and punitive legislation.

We will still enjoy a pro-Second Amendment Trump Administration next year during our general session. Having time to properly work a bill to clean up loopholes - if there are any – in our already strong Second Amendment statutes, would result in meaningful legislation not just

some sort of hastily drafted, ramrodded, litmus legislation whose unintended consequences no one has thought through carefully. I recognize it is an election year, and as we do every election year, we always must have some outrageous bill just to see how committed candidates are. Regardless of whether this act stands or not, there will be another Second Amendment bill next year and the year after that. These bills are a gold mine for lobbyists and a test of courage for legislators, nevermind the practical value.

I commend those legislators who took the time to talk to their local law enforcement and look into the language of the bill. A sizable number in both chambers reconsidered their stances not just from last year, but earlier this session and demonstrated real courage - the first principle of our Code of the West. Standing up for the thin blue line is every bit as sacred to Wyoming as standing up for the Second Amendment. Understanding that the two are not in conflict is the least that we can do in support of the men and women who put their lives on the line for us every time they put on a badge and uniform.

With this letter, I deliver my veto of the original Senate File 101/Senate Enrolled Act No. 64 to you.

Sincerely,



Mark Gordon
Governor

cc: The Honorable Chip Neiman, Speaker of the House
The Honorable Chuck Gray, Secretary of State
Chief Clerk, Wyoming House of Representatives
Chief Clerk, Wyoming Senate