

May 1, 2024

Contact Kylie Mason

Phone (850) 245-0150



OFFICE OF THE
ATTORNEY GENERAL
STATE OF FLORIDA

Florida Attorney General's Office News Release

Attorney General Moody Fights Back Against Biden's Unnecessary Burden on the Constitutional Rights of Floridians



TALLAHASSEE, Fla.—Attorney General Ashley Moody is fighting back against Biden's attempt to wrongfully regulate gun owners. For decades, federal law has made a distinction between firearms dealers, who must purchase a federal license to sell firearms, and private individuals making private sales, a protected activity. Biden's Bureau of Alcohol, Tobacco, Firearms and Explosives recently enacted a new rule that requires thousands of law-abiding citizens to register as dealers and navigate a complex bureaucracy to simply buy, sell or trade firearms with friends and neighbors—a constitutionally protected activity. This rule also burdens citizens with additional costs. Attorney General Moody is pushing back against this unnecessary burden on second amendment rights of Floridians.

Attorney General Ashley Moody said, "This is Biden's latest step in trying to take guns away from law-abiding Americans. We are fighting back against this federal overreach that would force thousands of law-abiding gun owners to register as federal firearms dealers and navigate a federal bureaucracy. It's unlawful and reflects a lack of respect for our second amendment rights. We won't stand for it."

Attorney General Moody filed a lawsuit against the Biden administration's new ATF rule that aims to burden law-abiding citizens with bureaucratic red tape and costs. The Biden administration frames these actions as merely clarifying the Bipartisan Safer Communities Act; however, Attorney General Moody's suit argues that any regulation that seeks to shift the U.S. in a particular policy direction is, "by definition, not merely 'clarifying' a statute."

The lawsuit states, "The challenged rule, in fact, goes far beyond the plain text of the BSCA. It purports to force thousands of law-abiding gun owners to register as federal firearms dealers and navigate a federal bureaucracy as a precondition to engaging in constitutionally protected activity. The challenged rule is unlawful...ATF does not have authority to promulgate it because ATF's rulemaking authority is carefully circumscribed. But even if it did, the challenged rule unlawfully attempts to depart from the plain meaning of the BSCA to achieve President Biden's policy goals."

To read the full lawsuit, click [here](#).

#