

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> 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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2005

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

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## 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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