

RESOLUTION

TO DECLARE STEPHENS COUNTY, GEORGIA TO BE A
“SECOND AMENDMENT SANCTUARY COUNTY”

RESOLUTION NO. 2020-07

WHEREAS, the Board of County Commissioners of Stephens County, Georgia being elected to represent the People of Stephens County, Georgia and being duly sworn by oath to uphold the United States Constitution and the Constitution of the State of Georgia, and;

WHEREAS, the Second Amendment to the Constitution of the United States reads as follows: “A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed,” and;

WHEREAS, the United States Supreme Court has affirmed an individual’s right to possess firearms, unconnected with service in the militia, for traditionally lawful purposes, such as self-defense within the home (*District of Columbia v. Heller* (2008)), and;

WHEREAS, the United States Supreme Court has affirmed that the right of an individual to “keep and bear arms,” is protected under the Second Amendment and is incorporated by the Due Process Clause of the Fourteenth Amendment against the states (*McDonald v. Chicago* (2010)), and;

WHEREAS, the United States Supreme Court has affirmed that the federal government of the United States cannot compel state law enforcement officers to enforce federal laws (*Prinz v. United States* (1997)), and;

WHEREAS, Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia, entitled “Arms, right to keep and bear,” provides that, “[t]he right of the people to keep and bear arms shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne,” and;

WHEREAS, O.C.G.A § 1-2-6 (a)(9) lists the right to keep and bear arms among the rights of the citizens of the State of Georgia that are without limitation, and;

WHEREAS, all federal acts, laws, orders, rules or regulations regarding firearms, firearms accessories, and ammunition are a violation of the Second Amendment and Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia and are contrary to the original intent of those provisions, and;

WHEREAS, the citizens of Stephens County, Georgia regard the right of people to keep and bear arms for defense of life, liberty and property as an inalienable right of the people, and;

WHEREAS, the citizens of Stephens County, Georgia derive economic and social benefit from all safe forms of firearms recreation, hunting and shooting conducted within Stephens County, and;

WHEREAS, it is the desire of the Stephens County Board of Commissioners to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Constitution of the State of Georgia that protect Stephens County Citizens' individual, inalienable rights to keep and bear arms; and

NOW, THEREFORE, BE IT RESOLVED by the Stephens County Board of Commissioners, duly assembled this ____ day of January, 2020 that Stephens County be, and hereby is, declared to be a "Second Amendment Sanctuary County."; and

BE IT FURTHER RESOLVED that the Stephens County Board of Commissioners affirms its support for the Stephens County Sheriff in the exercise of his sound discretion to not enforce against any citizen an unconstitutional firearms law; and

BE IT FURTHER RESOLVED that no agent, employee or official of Stephens County, or any corporation providing services to Stephens County, shall provide material support or participate in any way with the implementation of federal acts, orders, rules, laws or regulations in violation of the Second Amendment to the United States Constitution; and

BE IT FURTHER RESOLVED that the Stephens County Board of Commissioners will not authorize or appropriate funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purpose of enforcing or assisting in the enforcement of any element of any acts, laws, orders, mandates, rules or regulations that infringe on the right by the people to keep and bear arms, and;

BE IT FURTHER RESOLVED, that all federal acts, laws, orders, rules, regulations that violate the Second Amendment to the Constitution of the United States or Article I, Section I, Paragraph VIII of the Constitution of the State of Georgia, violate the true meaning and intent of those constitutions and are hereby declared to be invalid and are specifically rejected in Stephens County, Georgia and shall be considered null and void and of no effect in Stephens County, Georgia.

Adopted this ____ day of _____ 2020.

BY: _____
Chairman

The above Resolution was adopted by the Stephens County Board of Commissioners on this ____ day of _____ 2020.

ATTEST: _____
Stephens County Clerk