

# County of \_\_\_\_\_ State of New Jersey

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## Resolution

A resolution of the County of \_\_\_\_\_ declaring \_\_\_\_\_ County a Second Amendment County.

**WHEREAS**, the Constitution of the United States of America is the supreme law of our nation, and

**WHEREAS**, the Second Amendment to the Constitution states, “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.”

**WHEREAS**, the U.S. Supreme Court in the District of Columbia v. Heller, 554 U.S. 570 (2008) affirmed that the Second Amendment right to keep and bear arms is not connected in any way to the service of the militia; and

**Whereas**, the U.S. Supreme court in McDonald v, City of Chicago , 561 U.S. 742 (2010),affirmed that a person’s Second Amendment right to “Keep and bear arms” is further secured by the ‘Due process” and the “ privileges and immunities” clauses of the fourteenth amendment. This decision also protects the rights closely related to the Second amendment, namely the right to manufacture, transfer, and sell firearms, accessorizes, and ammunition; and

**WHEREAS**, the U.S. Supreme court in United States v. Miller, 307 U.S. 174 (1939) stated firearms that are part of ordinary military use (Weapons of common use) that can contribute to the common defense and are protected by the Second Amendment; and

**WHEREAS**, Certain legislation introduced into the state of New Jerseys legislature could have the effect of infringing on law abiding citizens right to keep and bear arms, as guaranteed by the Second amendment of the United states. And

**WHEREAS**, Section 1 of the fourteenth amendment states, No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life liberty, or property, without due process of the law. Nor deny any person within its jurisdiction equal protection under the law. And

**WHEREAS**, ARTICLE VI, CLAUSE 2

*This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding. And*

**WHEREAS**, *New Jersey's Gun Control Law is highly purposed and conscientiously designed toward preventing criminal and other unfit elements from acquiring firearms while enabling the fit elements of society to obtain them with minimal burdens and inconveniences.” [Burton v Sills 53 N.J. 86 (1968) 248 A.2d 521 at 105.and*

**WHEREAS**, *A law abiding citizen of the State of New Jersey who possess a N.J. Firearms Purchaser Identification card has met the burden of proof to be a law-abiding citizen and is immune from further legislation and laws that violate the constitution of the United States of America.*

*NOW, THEREFORE, BE IT RESOLVED by the \_\_\_\_\_ and \_\_\_\_\_ of the County of \_\_\_\_\_, State of New Jersey, as follows:*

*The \_\_\_\_\_ declares \_\_\_\_\_ to be a 2nd Amendment/ Lawful Gun Owner County as defined herein:*

*a. The \_\_\_\_\_ supports the rights of lawful gun owners to lawfully use firearms; to defend themselves, their loved ones and other innocents; to lawfully hunt to provide sustenance for their families; and to lawfully participate in shooting sports up to and including Olympic sports.*

*b. The \_\_\_\_\_ opposes further interference through state legislation or abridging of, the rights of lawful gun owners.*

*c. The Board of County Commissioners, County of \_\_\_\_\_ Hereby declare its intent to oppose unconstitutional restrictions of the right to keep and bear arms through such legal means as expedient, including adjoining as plaintiffs and or filing of supporting amicus briefs to pending or future litigation concerning second amendment cases against the state of New Jersey.*

*e The County of \_\_\_\_\_ Recognizes said county is not immune from past present or future laws and or legislation passed by the N.J. legislature regarding state and local firearms laws or statutes. Therefore all residents of \_\_\_\_\_ County can be prosecuted for ignoring or breaking present state laws in force.*