

# RESOLUTION DECLARING HALIFAX COUNTY AS A SECOND AMENDMENT SANCTUARY

WHEREAS, the Second Amendment of the United States Constitution reads: "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, Article 1, Section 13, of the Constitution of Virginia provides "that a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power;" and

WHEREAS, the Halifax County Board of Supervisors ("Board") is concerned that certain legislation prefiled for introduction in the 2020 Virginia General Assembly, and certain legislation that has been introduced in the United States Congress, may have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the United States and Virginia Constitutions; and

WHEREAS, the Board is concerned that the passage of any bill imposing unnecessary burdens on law-abiding citizens will, if the burdens are to be enforced by local officials, effectively impose unfunded mandates on the County; and

WHEREAS, the Board is concerned that legislation imposing such unnecessary burdens on law-abiding citizens may infringe on the rights of the citizens of Halifax County to keep and bear Arms under the United States and Virginia Constitutions; and

WHEREAS, the Board wishes to express its deep commitment to the rights of all citizens of Halifax County to keep and bear Arms; and

WHEREAS, the Board wishes to express opposition to any law that would unconstitutionally restrict the rights under the Second Amendment of the citizens of Halifax County to bear arms; and

WHEREAS, the Board wishes to express its intent to stand as a Sanctuary County for Second Amendment rights and to oppose, within the limits of the Constitutions and laws of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the right of the citizens to keep and bear arms, including through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances, and the direction to the law enforcement and judiciary of Halifax County to not enforce any unconstitutional law; and

WHEREAS, the Board is aware that General Assembly has expressed its intent, in Section 15.2-915 of the Code of Virginia, 1950, as amended, that rules, regulations, and administrative actions "governing the purchase, possession, transfer, ownership,

carrying, storage or transporting of firearms, ammunition, or components or combination thereof," other than workplace rules, is an exclusive preserve of State government, and that local law enforcement is the responsibility and preserve of the Sheriff and the Commonwealth's Attorney, who are independently elected officers under the Virginia Constitution; and

WHEREAS, nevertheless, the Board wishes to express its sentiments, together with the sentiments of the Halifax County community as a whole, with regard to this important matter, and its continuing intent to take lawful action to protect these important rights. NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HALIFAX COUNTY, VIRGINIA, AS FOLLOWS:

1. Halifax County is hereby declared a Second Amendment Sanctuary County, wherein the rights of law-abiding citizens to keep and bear arms for the purposes of lawful self-defense, community defense, and hunting, as protected by the United States and Virginia Constitutions, is part of the fabric of the community since before the foundation of the Republic, and is and must be respected and celebrated; and

2. Halifax County urges the General Assembly, the United States Congress, and other agencies of State and Federal government not to adopt, accept, or enact any provision, law, or regulation that may infringe, have the tendency to infringe, or place any additional burdens on the right of law-abiding citizens to bear arms; and

3. Halifax County expresses its intent to continue to take lawful actions to protect and support the rights of its citizens to keep and bear arms as guaranteed by the United States and Virginia Constitutions; and

4. Halifax County opposes, in particular, any provision, law, or regulation that may impose additional regulatory burdens on its citizens or result in mandates, whether mandatory or practical, to expend additional public funds on enforcement or administration of such laws, or to require the constitutional officers of the locality to do so; and

5. The County Administrator is directed to cause true copies of this resolution to be forwarded to the County's representatives in the General Assembly and the United States Congress, together with the Chairmen or Presidents of each chamber therein; and

6. This resolution is effective upon adoption.

Adopted this 2<sup>nd</sup> day of December, 2019 by a vote of \_\_\_ ayes and \_\_\_ nays.

BY:

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Dennis G. Witt, Chairman  
Halifax County Board of Supervisors

ATTEST: \_\_\_\_\_  
Scott R. Simpson, P.E., Clerk