

## **RESOLUTION OF MOORE COUNTY BOARD OF COMMISSIONERS**

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, the Second Amendment of the United States Constitution stands as the final guarantor of liberty in the face of tyranny, and

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570 (2008), affirmed an individual’s right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and while in pursuit of lawful day-to-day activities, and

WHEREAS, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to “keep and bear arms,” as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states, and

WHEREAS, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment, and

WHEREAS, Article I, Section 31, of the Constitution of North Carolina provides “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 I, section 1, of the Constitution of North Carolina reads “that all persons are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, the enjoyment of the fruits of their own labor, and the pursuit of happiness”, and

WHEREAS, Article I, section 2 of the Constitution of North Carolina reads “All political power is vested in and derived from the people; all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole”, and

WHEREAS, certain legislation that has or may be introduced in the North Carolina General Assembly, and certain legislation which has or may be introduced in the United States Congress could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment to the United States Constitution and Article I, Section 31 of the Constitution of North Carolina, and

WHEREAS, the Moore County Board of Commissioners is concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Moore County to keep and bear arms, and

WHEREAS, the Moore County Board of Commissioners wishes to express its deep commitment to the rights of all citizens of Moore County to keep and bear arms, and

WHEREAS, the Moore County Board of Commissioners wishes to express opposition to any law that would unconstitutionally restrict the rights of the citizens of Moore County to keep and bear arms, and

WHEREAS, the Moore County Board of Commissioners wishes to express its intent to stand as a Sanctuary County for Second Amendment rights and to oppose, within the limits of the Constitution of the United States and the State of North Carolina, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of the citizens of Moore County to keep and bear arms, including through legal action, the power to appropriate public funds, the right to petition for redress of grievances, and the power to direct the law enforcement and employees of Moore County to not enforce any unconstitutional law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Moore County North Carolina:

That the Moore County Board of Commissioners hereby declares Moore County, North Carolina, as a "Second Amendment Sanctuary County", and

That the Moore County Board of Commissioners hereby expresses its intent to uphold the Second Amendment rights of the citizens of Moore County, North Carolina, and

That the Moore County Board of Commissioners hereby expresses its intent that public funds of the county not be used to restrict the Second Amendment rights of the citizens of Moore County, or to aid federal or state agencies in the restriction of said rights, and

That the Moore County Board of Commissioners hereby declares its intent to oppose any infringement on the right of law-abiding citizens to keep and bear arms using such legal means as may be expedient, including, without limitation, court action.

This the \_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Frank Quis, Chair  
Moore County Board of Commissioners

Attest: \_\_\_\_\_  
Laura M. Williams, Clerk to Board

