

House Resolution 1496

By: Representatives Gurtler of the 8th, Moore of the 1st, Singleton of the 71st, Caldwell of the 20th, Cooke of the 18th, and others

A RESOLUTION

1 Urging all 159 counties of the State of Georgia to be designated as Second Amendment
2 Constitutional Counties; and for other purposes.

3 WHEREAS, the Constitution of the United States is the supreme law of our nation, and
4 individual rights come from our supreme creator; and

5 WHEREAS, the government's sole duty is to protect the natural and God-given rights of
6 self-defense codified in our Bill of Rights; and

7 WHEREAS, as the Second Amendment to the Constitution states, "A well regulated militia
8 being necessary to the security of a free state, the right of the people to keep and bear arms
9 shall not be infringed"; and

10 WHEREAS, the United States Supreme Court has affirmed an individual's right to possess
11 firearms, unconnected with service in a militia, for traditionally lawful purposes, such as
12 self-defense within home and all other lawful purposes; and

13 WHEREAS, the United States Supreme Court has affirmed that the right of an individual to
14 "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due
15 Process Clause of the Fourteenth Amendment against the states; and

16 WHEREAS, the United States Supreme Court in *United States v. Miller* (1939) stated that
17 firearms that are part of the ordinary military equipment with use that could contribute to the
18 common defense are protected by the Second Amendment; and

19 WHEREAS, there are millions of Georgians concerned about the passage of any bill
20 containing language which could be interpreted as infringing on the rights of the citizens of
21 the great State of Georgia to keep and bear arms; and

22 WHEREAS, the General Assembly of Georgia wishes to express its intent to all Georgia
23 counties to become a Constitutional County for Second Amendment rights and to oppose,
24 with the limits of the Constitution of the United States and the State of Georgia, any efforts
25 in unconstitutionally restricting such rights; and

26 WHEREAS, if the federal and state governments attempt to violate the constitutionally
27 afforded rights of its citizens, the last line of defense against tyranny, is the elected Sheriffs
28 of every county in Georgia.

29 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
30 the members of this body urge all 159 Georgia counties to become a Constitutional County
31 for Second Amendment rights in order to preserve for the people of Georgia their rights
32 guaranteed by the Constitution of the United States.

33 BE IT FURTHER RESOLVED that we, the representatives of people of the State of Georgia,
34 through this resolution hereby recognize our rights, our freedom, and our liberty as
35 guaranteed by the Constitution of the United States of America.

36 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
37 and directed to make appropriate copies of this resolution available for distribution to the
38 public and the press.