

RESOLUTION 2019-144

**A RESOLUTION OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS DECLARING LAKE COUNTY A SECOND AMENDMENT SANCTUARY.**

**WHEREAS**, the Constitution of the United States 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;” and

**WHEREAS**, the U.S. Supreme Court found in *Miranda v. Arizona*, 384 U.S. 436 (1966), that, “where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them;” and

**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 service in a militia; and

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

**WHEREAS**, the Fourteenth Amendment to the Constitution 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 law; nor deny to any person within its jurisdiction the equal protection of the laws;” 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 rights closely related to the Second Amendment, namely the right to manufacture, transfer, purchase, and sell firearms, accessories, and ammunition; and

**WHEREAS**, the Tenth Amendment to the Constitution states, “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the People;” and

**WHEREAS**, the U.S. Supreme Court found in *Printz v. United States*, 521 U.S. 898 (1997), that the Federal government cannot compel law enforcement officers of the States to enforce federal laws as it would increase the power of the Federal government far beyond that which the Constitution intended; and

**WHEREAS**, Article I, Section 8, of the Florida Constitution states that, “the right of the people to keep and bear arms in defense of themselves and of the lawful authority of the state shall not be infringed, except that the manner of bearing arms may be regulated by law;” and

**WHEREAS**, due to dual sovereignty of the U.S. Constitution, the Federal government has no authority to enforce state laws and States cannot be compelled to enforce Federal laws; and

**WHEREAS**, the last protectors of the U.S. Constitution are the County Sheriffs and “we the people of the United States of America” and our ability to fulfill that role successfully rests on our Second Amendment rights.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Lake County, Florida, as follows:

**Section 1.** The above recitals are true and correct and incorporated in this Resolution.

**Section 2.** The Lake County Board of County Commissioners hereby declares Lake County as a Second Amendment Sanctuary in order to preserve for the People of, on, and in Lake County, their rights guaranteed by the Constitution of the United States of America.

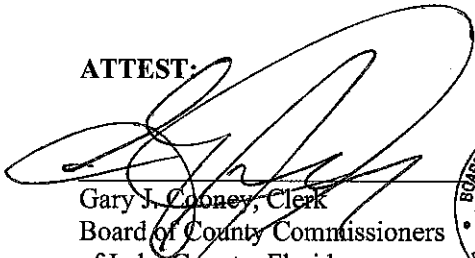
**Section 3** We the People of Lake County, Florida, through this resolution hereby declare our rights, our freedom and our liberty as guaranteed by the Constitution of the United States of America.

**Section 4.** A copy of this Resolution shall be spread upon the Minutes of this meeting.

**Section 5.** This Resolution shall become effective upon adoption.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Lake County, Florida in regular session this 5 day of November 2019.

ATTEST:

  
Gary J. Cooney, Clerk  
Board of County Commissioners  
of Lake County, Florida




**BOARD OF COUNTY COMMISSIONERS  
OF LAKE COUNTY, FLORIDA**

  
Leslie Campione, Chairman

This 12<sup>th</sup> day of November, 2019.

Approved as to form and legality:

  
Melanie Marsh, County Attorney