

By Senator Hutson

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Senate Memorial

A memorial to the Congress of the United States, expressing the consensus of the Florida Legislature that proposals forthcoming at the federal level to restrict the right to keep and bear arms violate the Constitution of the United States and affirming the intent of the Florida Legislature to do everything in its power to protect the rights of Florida residents under the Second Amendment to the Constitution of the United States and under the Florida Constitution.

WHEREAS, the Second Amendment to the Constitution of the United States and Section 8, Article I of the Florida Constitution protect the individual right to keep and bear arms, and

WHEREAS, the Supreme Court of the United States has ruled that the Second Amendment protects an individual's right to keep and bear arms commonly used for lawful purposes, and

WHEREAS, the President of the United States has made clear his intent to press the United States Congress to pass legislation that would restrict the lawful acquisition and possession of firearms and ban many firearms commonly used for self-defense, hunting, competition, and target shooting, and

WHEREAS, the Supreme Court of the United States has recognized that the principles of separate sovereignty, as embodied in the Tenth Amendment to the Constitution of the United States, prohibit the Federal Government from requiring the State of Florida or its officers to take part in any federal gun-control scheme, and

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30 WHEREAS, it is the duty of the State of Florida to exercise  
31 all of its lawful authority to protect the right of all Florida  
32 residents to keep and bear arms, NOW, THEREFORE,

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34 Be It Resolved by the Legislature of the State of Florida:

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36 That it is the consensus of the Florida Legislature that  
37 the President's proposals to restrict the right to keep and bear  
38 arms of law-abiding citizens violates the Constitution of the  
39 United States.

40 BE IT FURTHER RESOLVED that the Florida Legislature, on  
41 behalf of the State of Florida and residents of this state,  
42 intends to use all of its lawful authority and power to resist  
43 or overturn any federal gun-control measure that violates the  
44 right of Florida residents to keep and bear arms.

45 BE IT FURTHER RESOLVED that the Secretary of State dispatch  
46 copies of this memorial to the President of the United States,  
47 to the President of the United States Senate, to the Speaker of  
48 the United States House of Representatives, and to each member  
49 of the Florida delegation to the United States Congress.