



KENOSHA COUNTY

BOARD OF SUPERVISORS

Resolution No. _____

Subject:			
A resolution declaring Kenosha County a Second Amendment Sanctuary County			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: 2/15/2020		Date Resubmitted:	
Submitted by: Supervisors Decker, Maurer, Nordigian, Nudo, Rodriguez			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/> Agreement	
Prepared by: Supervisor Erin Decker		Signature:	

WHEREAS, the Constitution of the United States is the Supreme Law of our nation, and;

WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to 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 Constitution of the State of Wisconsin, Article 1, Section 25, reads “The people have the right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose,” 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;

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, the Right of the People to Keep and Bear Arms for the defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of Kenosha County, Wisconsin, and;

WHEREAS, the People of Kenosha County, Wisconsin derive an economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Kenosha County using all types of firearms allowable under the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, the Kenosha County Board, being elected to represent the People of Kenosha County and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Wisconsin, and;

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

WHEREAS, the Kenosha County Board of Supervisors wishes to express its deep commitment to the rights of all citizens of Kenosha County to keep and bear arms, and;

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

WHEREAS, the Wisconsin State Assembly and the Wisconsin State Senate, being elected by the People of the State of Wisconsin and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, any legislation considered by the Wisconsin State Legislature that would infringe upon the Right to Keep and Bear Arms and would ban the possession and/or use of any weapons including firearms, magazines, ammunition or body armor now employed by individual citizens of Kenosha County for their defense of Life, Liberty and Property, or for the purposes of hunting, recreation or other lawful purposes or would require a firearms owner I.D. card, or tax the possession of firearms or ammunition, or require the registration and/or confiscation of said weapons and ammunition within Kenosha County, Wisconsin; would be a violation of the Second Amendment of the United States Constitution and of Article 1, Section 25 of the Wisconsin Constitution;

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors hereby declares Kenosha County to be a Second Amendment Sanctuary County; and

BE IT FURTHER RESOLVED, the Kenosha County Board of Supervisors affirms its support of the sheriff to exercise sound discretion to not enforce against any citizen an unconstitutional firearms law; and

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors will not appropriate any funds for any enforcement of unconstitutional laws against the People of Kenosha County, Wisconsin; and

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors does hereby oppose the enactment of any legislation that would infringe upon the Right of the People to keep and bear arms and consider such laws to be unconstitutional and beyond lawful legislative authority and to be an act of tyranny.

Respectfully submitted at Kenosha County, Wisconsin, this _____ day of _____, 2020

Supervisor Erin Decker

Supervisor Gabe Nudo

Supervisor Amy Maurer

Supervisor Zach Rodriguez

Supervisor Mark Nordigian

LEGISLATIVE COMMITTEE:

Aye Nay Abstain Excused

Andy Berg, Chair

Boyd Frederick, Vice Chair

Lon Wienke

Ed Kubicki

Mark Nordigian

Sandra Beth

Amy Maurer