

SECOND AMENDMENT SANCTUARY RESOLUTION

WHEREAS, the Declaration of Independence adopted by the Continental Congress on July 4th, 1776 set forth and established as self-evident true that all people are endowed by their creator with certain inalienable rights.

WHEREAS, a statement of a number of these inalienable rights are set forth in the Bill of Rights adopted as part of the Constitution of the United States and the Constitution of the Commonwealth of Virginia.

WHEREAS, the Second Amendment to the Constitution of the United States, which is a part of the Bill of Rights 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.

WHEREAS, the Bill of Rights in the Constitution of Virginia being Article 1 Section 13 states that a well-regulated militia, comprised of the body of the people trained to arms is the proper natural and safe defense of a free state, therefore the right of the people to keep and bear arms shall not be infringed.

WHEREAS, all constitutional officers in Virginia before assuming the duties of the office to which they are elected do solemnly swear or affirm to support the Constitution of the United States and the Constitution of Virginia.

WHEREAS, certain legislation introduced before the 2020 session of the Virginia, General Assembly could have the effect of infringing upon the inalienable rights of law-abiding citizens to keep and bear arms as aforesaid.

WHEREAS, the members of the Tazewell County Board of Supervisors in the performance of their oaths of office, feel compelled in the exercise of the duties of their office to make and declare the following resolution.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the inalienable right to keep and bear arms is a fundamental individual right that shall not be infringed and any future enactment of laws by the Virginia General Assembly or any other governmental body that infringes upon such right are violations of the Constitution of the United States and of the Constitution of Virginia.
2. That notwithstanding any other law, regulation or rule or order to the contrary no agent, department, employee or official of Tazewell County, being a political subdivision of the Commonwealth of Virginia, while acting in his or her official duty or capacity shall:
 - a. Knowingly and willingly participate in any way in the enforcement of any unlawful act as defined herein regarding personal firearms, firearm accessories or ammunition.
 - b. Utilize any Tazewell County funds or assets or funds or assets allocated by any entity to Tazewell County in whole or in part to engage in any activity that aids in the enforcement or investigation relating to an unlawful act in connection with personal firearms, firearm accessories or ammunition.

- c. For purposes of this resolution, an unlawful act shall be defined as, any federal or state act, law, order, rule or regulation which bans or effectively bans, registers or effectively registers or limits the lawful use of firearms, firearm accessories or ammunition, other than that which is already in place as of the date of the adoption of this resolution.

Any such unlawful act is invalid in Tazewell County, shall not be recognized by Tazewell County, is specifically rejected by the voters of Tazewell County and shall be considered null, void and of no effect in Tazewell County, which includes but shall not be limited to the following.

1. Any new tax, fee, levee or stamp imposed on firearms, firearm accessories or ammunition.
2. Any registration or tracking of firearms, firearm accessories or ammunition.
3. Any registration or tracking of the owners of firearms, firearm accessories or ammunition.
4. Any act forbidding the possession, ownership, use or transfer of any type of firearm, firearm accessory or ammunition by citizens of the legal age of eighteen and over, other than pursuant to federal law, background check requirements or transfers or purchases through federal firearms licensed dealers.
5. Any act ordering the confiscation of firearms, firearm accessories or ammunition from citizens, except as currently provided by law for persons who have been convicted of a felony and persons who have been adjudicated to be mentally incompetent.
6. Any prohibition, regulation and or use restriction related to the ownership or the constitutionally guaranteed lawful use or carry of non-fully automatic firearms.
7. Any restriction upon the lawful right of a parent to decide whether and or when to train his or her children in the safe use of a firearm, to allow a child so trained to hunt alone or have access to firearms and ammunition for home defense when such parents are away.
8. Any prohibition, regulation and/or use restriction limiting hand grips, stocks, flash suppressors, muzzle brakes, muzzle compensators, threaded barrels, bayonet mounts, magazine capacity, clip capacity, internal capacity, bump stocks or other types of ammunition available for sale, possession or use by citizens in and any other prohibition declaring a firearm or a firearm accessory lawfully owned by law abiding citizens on the date of adoption of this resolution to be illegal or subject to confiscation or the owner thereof to be subjected to criminal prosecution.

EXCEPTIONS

The protections provided to citizens by this resolution do not apply to persons who have been convicted of felony crimes, have been adjudicated to be incompetent, are the subjects of a state or federal protective order or who are otherwise prohibited from possessing firearms under state or federal law existing as of the date of the adoption of this resolution.

SECTION IV

This resolution is not intended to prohibit or affect in any way the prosecution of any crime for which the use of or possession of a firearm is an aggravating factor or an enhancement to an otherwise independent crime.

This resolution does not permit or otherwise allow the possession of firearms in federal or other public buildings such as the Tazewell County Courthouse, where such possession or use is currently prohibited.

This resolution shall not affect the otherwise lawful permitting, licensing, registration or other processing of applications for concealed carry permits or other firearm, firearm accessory or ammunition licensing or registration processes that may be required by laws existing on the date hereof.

This resolution shall not in any way affect the enforceability of any other current federal or state firearm law in existence as of the date of the adoption hereof.