

FLOYD COUNTY, INDIANA
RESOLUTION NO. 2020-02

**A RESOLUTION OF THE FLOYD COUNTY, INDIANA
COUNTY COUNCIL RECOGNIZING THE SECOND AMENDMENT
TO THE UNITED STATES CONSTITUTION'S RESPECT OF THE
FUNDAMENTAL RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS**

Section 1. FINDINGS

The Council Members of the Floyd County, Indiana County Council, find and declare:

- A. Acting through the United States Constitution, the people created government to be their agent in the exercise of a few defined powers, while reserving to the citizens the right to decide on matters which concern their lives, liberty, and property in the ordinary course of affairs;
- B. The Second Amendment to the Constitution of the United States of America 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";
- C. Article 1, § 32 of the Indiana Constitution provides that "[t]he people shall have a right to bear arms, for the defense of themselves and the State."
- D. The right of the people to keep and bear arms is further protected from infringement by State and Local Governments under the Tenth and Fourteenth Amendments to the Constitution of the United States of America.
- E. The Supreme Court of the United States of America in *District of Columbia v. Heller* recognized the individual's right to keep and bear arms, as protected by the Second Amendment to the Constitution of the United States of America. Justice Antonin Scalia's prevailing opinion in that case stated that the Second Amendment protects an individual's right to possess a firearm unconnected with service in a militia, and the right to use that firearm for traditionally lawful purposes, such as self-defense within the home;
- F. Section 1 of the Fourteenth Amendment to the Constitution of the United States of America 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";
- G. The Supreme Court of the United States recognized in *McDonald v. City of Chicago* that the Second Amendment to the United States Constitution is incorporated by the Fourteenth Amendment and thereby made applicable to the States;

H. Therefore, the right to keep and bear arms is a fundamental individual right;

Section 2. RESOLUTION


A. Therefore, through the enactment of this document by the Floyd County, Indiana County Council it is resolved that the Floyd County Council and its members fully recognize and pledge to support the fundamental individual right of the People to keep and bear arms as recognized by the Constitution of the United States of America, the United States Supreme Court and the Indiana State Constitution.

Section 3. EFFECTIVE DATE

1. This resolution shall be in full force and effect from and after its passage.

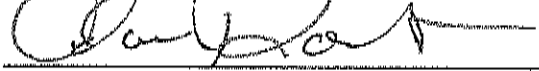
DULY ADOPTED on this the 10 day of March, 2019; by the County Council of Floyd County, Indiana.

COUNTY COUNCIL OF
FLOYD COUNTY, INDIANA




Brad Striegel, President

Denise Konkle, Vice President

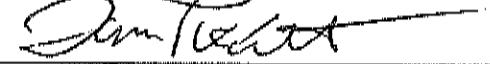


Adam Roberts




Dale Bagshaw

Leslie Knable

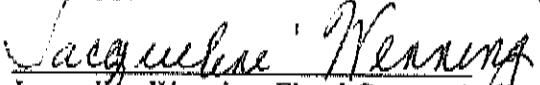


Tom Pickett



Danny Short

ATTEST:



Jacqueline Wenning, Floyd County Auditor