

HM 1301

2021

## 1 House Memorial

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

11  
12 WHEREAS, the Second Amendment to the Constitution of the  
13 United States and Section 8, Article I of the Florida  
14 Constitution protect the individual right to keep and bear arms,  
15 and

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

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

24 WHEREAS, the Supreme Court of the United States has  
25 recognized that the principles of separate sovereignty, as

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26 embodied in the Tenth Amendment to the Constitution of the  
 27 United States, prohibit the Federal Government from requiring  
 28 the State of Florida or its officers to take part in any federal  
 29 gun-control scheme, and

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,

33

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

35

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 copies of this memorial be  
 46 dispatched to the President of the United States, to the  
 47 President of the United States Senate, to the Speaker of the  
 48 United States House of Representatives, and to each member of  
 49 the Florida delegation to the United States Congress.