

# Issue Analysis Form



**Date:** December 10, 2019  
Resolution – Sanctuary  
County for Second  
Amendment Rights

**Item:**

**Lead Department(s):** County Attorney

**Contact Person(s):** Dan Whitten

## Description and Current Status

The Prince George County Board of Supervisors wishes to express its deep commitment to the rights of all citizens of Prince George County to keep and bear arms by opposing any law that would unconstitutionally restrict the rights under the Second Amendment of the Citizens of Prince George County to bear arms.

The Board of Supervisors intends to stand as a Sanctuary County for Second Amendment rights and oppose any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the constitutional rights of the citizens to keep and bear arms, including through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances.

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Sample Motion: I move that the Board adopt the Resolution declaring Prince George County, Virginia as a "Second Amendment Sanctuary".

## Government Path

- |   |   |  |
|---|---|--|
| <b>Does this require IDA action?</b>                  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>Does this require BZA action?</b>                  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>Does This require Planning Commission Action?</b>  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>Does this require Board of Supervisors action?</b> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| <b>Does this require a public hearing?</b>            | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>If so, before what date?</b>                       | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            |

## Fiscal Impact Statement

**County Impact****Notes**

Board of Supervisors  
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 10<sup>th</sup> day of December, 2019:

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Present:

Donald Hunter, Chairman  
Floyd M. Brown, Jr., Vice-Chair  
Alan R. Carmichael  
Marlene J. Waymack  
T. J. Webb

Vote:

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On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, which carried unanimously, the following Resolution was adopted:

**RESOLUTION OF PRINCE GEORGE COUNTY BOARD OF SUPERVISORS**

**WHEREAS**, the Second Amendment of 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**, Article 1, Section 13, of the Constitution of Virginia provides "that a well regulated militia, composed 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; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power;" and,

**WHEREAS**, certain legislation introduced in the 2019 session of the Virginia General Assembly, and certain legislation introduced in the current session of the United States Congress could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment of the United States Constitution; and,

**WHEREAS**, the Prince George County Board of Supervisors is concerned about the passage of any bill containing language which unconstitutionally infringes upon the Second Amendment rights of the citizens of Prince George County, and,

**WHEREAS**, the Prince George County Board of Supervisors wishes to express its deep commitment to the rights of all citizens of Prince George County to keep and bear Arms; and,

**WHEREAS**, the Prince George County Board of Supervisors wishes to express opposition to any law that would unconstitutionally restrict the rights under the Second Amendment of the citizens of Prince George County to bear arms; and,

**WHEREAS**, the Prince George County Board of Supervisors wish to express its intent to stand as a Sanctuary County for Second Amendment rights and to oppose, within the limits of the Constitutions of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the constitutional rights of the citizens to keep and bear arms, including through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PRINCE GEORGE COUNTY, VIRGINIA:**

That the Board of Supervisors hereby expresses its intent to uphold the Second Amendment rights of the citizens of Prince George County, Virginia and its intent that public funds of the County not be used to unconstitutionally restrict Second Amendment rights or to aid in the unconstitutional restriction of the rights under the Second Amendment of the citizens of Prince George County, Virginia to bear arms; and

That the Board of Supervisors hereby declares its intent to oppose unconstitutional restrictions on the right to keep and bear arms through such legal means as may be expedient, including without limitation court action; and,

That the Board of Supervisors hereby declares Prince George County, Virginia, as a "Second Amendment Sanctuary,"

**CERTIFICATION OF ADOPTION OF RESOLUTION**

The undersigned Clerk of the Board of Supervisors of the Prince George County, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on December 10, 2019, by the Board of Supervisors with the following votes:

Yes:

No:

Abstentions:

Absent:

Signed this day of December 10, 2019

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Teresa Knott, Clerk  
Prince George County Board of Supervisors