

## **RESOLUTION**

### **A RESOLUTION OF THE MARICOPA COUNTY BOARD OF SUPERVISORS SUPPORTING THE SECOND AMENDMENT TO THE UNITED STATES CONSTITUTION AND ARTICLE II SECTION 26 OF THE CONSTITUTION OF THE STATE OF ARIZONA, AND DECLARING MARICOPA COUNTY A “SECOND AMENDMENT PRESERVATION COUNTY”**

**WHEREAS**, the Board of Supervisors met in Regular Session this 26<sup>th</sup> day of February 2020; and

**WHEREAS**, Arizona Revised Statute § 11-251 (17) and (21) provide authorization for the Board of Supervisors to “adopt provisions necessary to preserve the health of the county” and “make and enforce necessary rules and regulations for the government of its body, the preservation of order and the transaction of business;” and

**WHEREAS**, the Second Amendment to the United States Constitution, adopted in 1791 as part of the Bill of Rights, protects the fundamental and individual right of the people to keep and bear arms; and

**WHEREAS**, the Supreme Court of the United States, 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 Supreme Court of the United States, 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 and therefore applicable against the several states of the United States; and

**WHEREAS**, the Supreme Court of the United States, in *United States v. Miller*, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or whose use could contribute to the common defense, are protected by the Second Amendment; and

**WHEREAS**, Article II, Section 26 of the Constitution of the State of Arizona provides that “the right of the individual citizen to bear arms in defense of himself or the state shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain, or employ an armed body of men.”; and

**WHEREAS**, upon assuming office the members of the Maricopa County Board of Supervisors took an oath to support and defend the United States Constitution and the Constitution and laws of the State of Arizona, and today hereby reaffirm our commitment to the United States Constitution and the Constitution and laws of the State of Arizona.

**NOW, THEREFORE, BE IT RESOLVED** that the Maricopa County Board of Supervisors, by the authority granted by the Constitution and laws of the State of Arizona and the people of Maricopa County, Arizona, do hereby commit to stand and defend their rights and liberties as guaranteed by the United States Constitution and the Constitution and laws of the State of Arizona.

**BE IT FURTHER RESOLVED** that the Maricopa County Board of Supervisors affirms its support of the Second Amendment to the United States Constitution and declares Maricopa County a Second Amendment Preservation County.

**BE IT FURTHER RESOLVED** that the Maricopa County Board of Supervisors will not authorize or appropriate government funds, resources, employees, agencies contractors, buildings, detention centers or officers to infringe on the people's constitutional rights, including the right to keep and bear arms.

**APPROVED AND ADOPTED** by the Maricopa County Board of Supervisors this 26<sup>th</sup> day of February 2020.

---

Clint Hickman, Chairman of the Board



ATTEST:

---

Fran McCarroll, Clerk of the Board

APPROVED TO FORM:

---

Deputy County Attorney