

1 AN ACT relating to preserving the right of Kentuckians to own and use firearms.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 237 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) The General Assembly of the Commonwealth of Kentucky finds that:*

6 *(a) Section 1 of the Constitution of Kentucky provides, in part, that all men*
7 *have an inalienable right to bear arms in defense of themselves and the*
8 *state;*

9 *(b) The Second Amendment to the Constitution of the United States provides,*
10 *"A well regulated militia, being necessary to the security of a free state, the*
11 *right of the people to keep and bear arms, shall not be infringed";*

12 *(c) The Supreme Court of the United States, in the case of Printz v. United*
13 *States, 521 U.S. 898 (1997), affirmed that the federal government does not*
14 *have the authority to commandeer local or state agents to enforce federal*
15 *policy;*

16 *(d) Article I, Section 8 of the Constitution of the United States specifies the*
17 *powers of the Congress of the United States. Those powers do not include*
18 *impairing the Second Amendment to the Constitution of the United States*
19 *or any other amendment to the Constitution of the United States that*
20 *guarantees rights to the people or to a state;*

21 *(e) Article II, Section 2 of the Constitution of the United States specifies the*
22 *powers of the President of the United States. That section does not authorize*
23 *the President of the United States to violate the Constitution of the United*
24 *States or the amendments to the Constitution of the United States;*

25 *(f) The Tenth Amendment to the Constitution of the United States provides,*
26 *"The powers not delegated to the United States by the Constitution, nor*
27 *prohibited by it to the states, are reserved to the states respectively, or to the*

1 people"; and

2 (g) The Fourteenth Amendment to the Constitution of the United States
3 provides, in part, "No state shall make or enforce any law which shall
4 abridge the privileges or immunities of citizens of the United States; nor
5 shall any state deprive any person of life, liberty, or property, without due
6 process of law."

7 (2) The General Assembly of the Commonwealth of Kentucky declares that:

8 (a) It is the duty of the General Assembly and its members to protect and defend
9 the Constitution of the United States and the Constitution of Kentucky;

10 (b) All federal acts, laws, orders, rules, and regulations, enacted after the
11 effective date of this Act, which attempt to commandeer local or state law
12 enforcement officers to enforce federal restrictions on firearms violate the
13 Constitution of the United States and are:

14 1. Invalid in this Commonwealth;

15 2. Not recognized by this Commonwealth;

16 3. Considered null and void by this Commonwealth; and

17 4. Of no effect in this Commonwealth;

18 (c) Proposed executive actions by the President of the United States relating to
19 the acquisition, possession, and use of firearms and accessories violate the
20 President's powers under the Constitution of the United States and the
21 rights of the citizens under the Constitution of the United States and
22 amendments thereto; and

23 (d) It shall be the duty of the Kentucky General Assembly to adopt and enact
24 any and all measures as may be necessary to prevent the enforcement of any
25 federal act, law, order, rule, or regulation enacted after the effective date of
26 this Act which attempts to commandeer local or state law enforcement
27 officers to enforce federal restrictions on firearms in violation of the

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Constitution of the United States.