

Name: _____

Resident of _____ County, Florida

Please send correspondence to:

Address: _____

Email: _____

Phone No.: _____

Dutiful Commissioners, Honorable Representatives and Senators, and
Venerable Sheriff of _____ County, FL:

The observation of many bills circulating in the House of
Representatives and the FL Senate, and even the US Senate, which are
set to encroach on our Constitutional Right to bear arms, is
alarming. Making it harder for good citizens to arm ourselves
impedes our right to protect ourselves, whether from criminal
perpetrators or from a tyrannical government, as criminals and
tyrants will always find their weapons.

I urge you not to put our law enforcement agencies in a position
where they will need to decide between their employment and their
sworn duty; an impasse where morality and security become a weighed
decision. The Right to Bear Arms is a natural Right, not a
Privilege. I urge you to declare our County a Second Amendment
Sanctuary County.

The attached document was formed by patriots. I urge you to place it
before our Legislators by supporting it and our 2nd Amendment.

Please heed this message as it is from one of your constituents. I
will consider your views and actions, especially your vote, regarding
this Bill in determining my decision to vote for you in the next
election cycle. Your response is appreciated.

Respectfully,

Name: _____

Concerned Citizen

Signature: _____

2020 Second Amendment Sanctuary Initiative

SECTION 1. TITLE

The title of this ordinance shall be known as the "Second Amendment Sanctuary Initiative", or "SASI"

SECTION 2. FINDINGS

The people of the County of _____, Florida, 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. We The People recognize **Boyd v. United States**, 116 U.S. 616, 635 in that "It is the duty of the courts to be watchful for the Constitutional rights of the citizen and against any stealthy encroachments thereon. Their motto should be **obsta principiis.**"
- C. We The People read, as written, the **2nd (Second) Amendment of the Bill of Rights of the United States Constitution**, "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.
- D. We The People read, as written, the **4th (Fourth) Amendment of the Bill of Rights of the United States Constitution**, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."
- E. We The People read, as written, the **10th (Tenth) Amendment of the Bill of Rights of the United States Constitution**, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

F. We The People cite **18 U.S. Code §242 Deprivation of Rights Under Color of Law** which reads, "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects **any person in any State, Territory, Commonwealth, Possession, or District** to the deprivation of **any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens,** shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death."

G. We The People recognize **16 American Jurisprudence 2d, Sec. 177:** "The general misconception is that any statute passed by legislators bearing the appearance of law constitutes the law of the land. The U.S. Constitution is the supreme law of the land, and any statute, to be valid, must be in agreement. It is impossible for both the Constitution and a law violating it to be valid; one must prevail. This is succinctly stated as follows: The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law, but is wholly void, and ineffective for any purpose; since unconstitutionality dates from the time of its enactment, and not merely from the date of the decision so branding it. An unconstitutional law, in legal contemplation, is as inoperative as if it had never been passed. Such a statute leaves the question that it purports to settle just as it would be, had the statute not been enacted."

H. We The People recognize **Bonnett v. Vallier, 116 N.W. 885, 136 Wis. 193 (1908); NORTON v. SHELBY COUNTY, 118 U.S. 425 (1886)** that "The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law,

but is wholly void and ineffective for any purpose, since its unconstitutionality dates from the time of its enactment... In legal contemplation, it is as inoperative as if it had never been passed... Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no right, creates no office, bestows no power or authority on anyone, affords no protection and justifies no acts performed under it... A void act cannot be legally consistent with a valid one. An unconstitutional law cannot operate to supersede any existing law. Indeed insofar as a statute runs counter to the fundamental law of the land, (the Constitution) it is superseded thereby. No one is bound to obey an unconstitutional law and no courts are bound to enforce it."

- I. We The People remember **The Author of Our Declaration of Independence and Our Third United States President, Thomas Jefferson**, "Laws are made for men of ordinary understanding and should, therefore, be construed by the ordinary rules of common sense. Their meaning is not to be sought for in metaphysical subtleties which may make anything mean everything or nothing at pleasure."
- J. We recognize 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 of 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;
- K. We The People read, as written, **Section 1 of the Fourteenth Amendment to the Constitution of the United States of America**, which 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."
- L. We know The Supreme Court of the United States recognized in "**McDonald v. City of Chicago**" that the Second Amendment to the

Constitution was incorporated by the Fourteenth Amendment and thereby made applicable to the States;

- M. We The People recognize Justice Thomas M. Cooley in the "**People v. Hurlbut**" 24 Mich. 44, page 108 (1871), states: "The State may mould local institutions according to its views of policy or expediency: but local government is a matter of absolute right; and the state cannot take it away";
- N. We recognize the United States Supreme Court in "**Printz v. United States**". The Court held: "The Federal Government may neither issue directives requiring the States to address particular problems, nor command the States' officers, or those of their political subdivisions, to administer or enforce a federal regulatory program."
- O. Therefore, the right to keep and bear arms is a fundamental individual right that shall not be infringed; and all local, state, and federal acts, laws, orders, rules or regulations regarding firearms, firearms accessories, and ammunition are a violation of the Second Amendment;
- P. Local governments have the legal authority to refuse to cooperate with state and federal firearm laws that violate those rights and to proclaim a Second Amendment Sanctuary for law-abiding citizens in their cities and counties;
- Q. **Therefore, through the enactment of this document, the County of _____, Florida, is hereby declared a Second Amendment Sanctuary.**

SECTION 3. PROHIBITIONS

- A. Notwithstanding any other law, regulation, rule or order to the contrary, **no** agent, department, employee or official of the County of _____, a political subdivision of the State of Florida, while acting in their official capacity, shall:
 - 1. Knowingly and willingly, participate in any way in the enforcement of any Unlawful Act, as defined herein, regarding personal firearms, firearm accessories, or ammunition.

2. Utilize any assets, the County of _____ funds, or funds allocated by any entity to the the County of _____, in whole or in part, to engage in any activity that aids in the enforcement or investigation relating to an Unlawful Act in connection with personal firearms, firearm accessories, or ammunition.

SECTION 4. PENALTIES

A. An "Unlawful Act" shall consist of any federal or state act, law, order, rule, or regulation, which restricts an individual's constitutional right to keep and bear arms, including any federal or state act, law, order, rule, or regulation which bans or effectively bans, registers or effectively registers, or limits the lawful use of firearms, firearm accessories or ammunition (other than a fully automatic firearm which is made unlawful by federal law). Any such "Unlawful Act" is invalid in the County of _____ and shall not be recognized by the County of _____, is specifically rejected by the voters of the County of _____, and shall be considered null, void and of no effect in the County of _____, Florida, and this includes, but shall not be limited to the following:

1. Any tax, levy, fee, or stamp imposed on firearms, firearm accessories, or ammunition not common to all other goods and services on the purchase or ownership of those items by citizens;
2. Any registration or tracking of firearms, firearm accessories, or ammunition;
3. Any registration or tracking of the owners of firearms, firearm accessories, or ammunition;
4. Any act forbidding the possession, ownership, or use or transfer of any type of firearm, firearm accessory, or ammunition by citizens of the legal age of eighteen and over, other than pursuant to federal law background check requirements for transfers or purchases through FFL dealers;
5. Any act ordering the confiscation of firearms, firearm accessories, or ammunition from citizens;

6. Any prohibition, regulation, and/or use restriction related to ownership or the constitutionally guaranteed lawful use or carry of non-fully automatic firearms; and
7. Any prohibition, regulation, and/or use restriction limiting hand grips, stocks, flash suppressors, bayonet mounts, magazine capacity, clip capacity, internal capacity, bump stocks, suppressors, or types of ammunition available for sale, possession or use by citizens.

B. Anyone within the jurisdiction of the County of _____, Florida, accused to be in violation of this ordinance may be sued in the district court of the state of Florida for declaratory and injunctive relief, damages, and attorneys' fees. Neither sovereign nor official or qualified immunity shall be an affirmative defense in cases pursuant to this section.

C. Any peace officer may enforce this ordinance.

D. A civil offense against this ordinance is a Class A violation, per infraction, with a maximum fine of \$2,000 for an individual per day, and a maximum of \$4,000 for a corporation, per day.

E. Exceptions:

1. The protections provided to citizens by this ordinance do not apply to persons who have been convicted of felony crimes or who are prohibited from possessing firearms under federal law.
2. This ordinance is not intended to prohibit or affect in any way the prosecution of any crime for which the use of, or possession of, a firearm is an aggregating factor or enhancement to an otherwise independent crime.
3. This ordinance does not permit or otherwise allow the possession of firearms in Federal buildings.
4. This ordinance does not prohibit individuals in the County of _____ from voluntarily participating in assisting in permitting, licensing, registration or other processing of applications for concealed carry permits, or other firearm, firearm accessory, or ammunition licensing or registration processes that may be required by law.

SECTION 5. SEVERABILITY

A. The provisions of this act are hereby declared to be severable, and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.

SECTION 6. EFFECTIVE DATE

A. The effective date of this ordinance, The Second Amendment Sanctuary Initiative, or SASI, shall be immediately upon approval by the County of _____ Commissioners.