

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE CONCURRENT  
4 RESOLUTION 1054

By: Osborn

5  
6 AS INTRODUCED

7 A Concurrent Resolution urging Congress to refrain  
8 from implementing any new rule, policy, statute,  
9 order, treaty, or decision that has the effect of  
10 diminishing the Second Amendment right of the people  
11 to keep and bear arms; and directing distribution.

12  
13 WHEREAS, the Second Amendment to the United States Constitution  
14 provides for the right of the people to keep and bear arms; and

15 WHEREAS, Article II, Section 26, of the Constitution of the  
16 State of Oklahoma, provides that "the right of a citizen to keep and  
17 bear arms in defense of his home, person, or property, or in aid of  
18 civil power, when thereunto legally summoned, shall never be  
19 prohibited"; and

20 WHEREAS, the private ownership and use of firearms by a citizen  
21 is a preexisting, fundamental right that is recognized by both the  
22 United States Constitution and Constitution of the State of  
23 Oklahoma; and  
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1       WHEREAS, the primary purpose of the right to keep and bear arms  
2 is to protect one's self, family, and possessions from the unlawful  
3 violence of other persons and to protect the security of a free  
4 polity; and

5       WHEREAS, the United States Supreme Court in *District of Columbia*  
6 *v. Heller*, 128 S.Ct. 2783 (2008), struck down a firearms ban in the  
7 District of Columbia, explicitly ruling that the Second Amendment  
8 protects the right of the people to possess firearms for private  
9 use; and

10       WHEREAS, the decision in *District of Columbia v. Heller*, removed  
11 any doubt as to the character of the federal right to bear arms as  
12 belonging to an individual, regardless of whether or not the  
13 individual is part of an organized militia; and

14       WHEREAS, federal officials are duty bound to observe and defend  
15 all constitutional liberties, including those enshrined in the  
16 Second Amendment to the United States Constitution.

17       NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES  
18 OF THE 2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE, THE SENATE  
19 CONCURRING THEREIN:

20       THAT the Oklahoma Legislature urges Congress to refrain from  
21 implementing any new rule, policy, statute, order, treaty, or  
22 decision that has the effect of authorizing the registration of  
23 privately owned firearms.

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1        THAT the Oklahoma Legislature urges Congress to refrain from  
2 implementing any new rule, policy, statute, order, treaty, or  
3 decision that has the effect of diminishing the right to bear arms  
4 enjoyed by the people of this country in a purported attempt to  
5 comply with international norms.

6        THAT the Oklahoma Legislature urges Congress to refrain from  
7 implementing any new rule, policy, statute, order, treaty, or  
8 decision that has the effect of authorizing the confiscation of any  
9 class of firearms lawfully possessed by the people of this country.

10       THAT the Oklahoma Legislature calls upon Congress to cease and  
11 desist from attempting to enact any federal legislation that  
12 infringes upon the constitutional right of every American to keep  
13 and bear arms.

14       THAT copies of this resolution be distributed to the President  
15 of the Senate and Speaker of the House of Representatives of the  
16 United States Congress and to each member of the Oklahoma  
17 Congressional Delegation.

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19        52-2-10133        GRS        03/04/10

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