

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

HOUSE
RESOLUTION 1010

By: Steagall

AS INTRODUCED

A Resolution asserting sovereignty under the Tenth Amendment to the United States Constitution; serving notice to federal government of certain intent; and directing distribution.

WHEREAS, the Tenth Amendment to the Constitution of the United States specifically provides that, "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"; and

WHEREAS, the Tenth Amendment limits the scope of federal power; and

WHEREAS, the Second Amendment to the Constitution of the United States provides, "the Right of the People to keep and bear arms, shall not be infringed"; and

WHEREAS, the Second Amendment is a limitation placed on the Federal Government; and

1 WHEREAS, the Constitution of the State of Oklahoma provides:

2 "The right of a citizen to keep and bear arms in defense of his
3 home, person, or property, or in aid of the civil power, when
4 thereunto legally summoned, shall never be prohibited"; and

5 WHEREAS, when taking the oath of office, all members of the
6 Oklahoma House of Representatives solemnly swear that they will
7 support, obey and defend the Constitution of the United States and
8 the Constitution of the State of Oklahoma.

9 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
10 OF THE 1ST SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

11 THAT Oklahoma hereby asserts sovereignty under the Tenth
12 Amendment to the Constitution of the United States over all powers
13 not otherwise enumerated and delegated to the federal government by
14 the Constitution of the United States.

15 THAT this resolution shall serve notice to the federal
16 government that H.R. 8, also known as the "Bipartisan Background
17 Checks Act of 2021," First Session of the 117th Congress, introduced
18 March 1, 2021, clearly violates the People's unalienable Rights, to
19 include infringement on their Second Amendment Right "to keep and
20 bear arms", their Fourth Amendment Right "to be secure in their
21 persons ... and effects", as well as the People's Fifth Amendment
22 Right to "due process of law".
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1 THAT H.R. 8 is hereby declared, by the Oklahoma House of
2 Representatives, to exceed the enumerated authorities delegated to
3 the United States Congress.

4 THAT suitable copies of this resolution be delivered to the
5 President of the United States, the President Pro Tempore of the
6 United States Senate, the Speaker of the United States House of
7 Representatives, and each member of the congressional delegation of
8 Oklahoma.

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10 58-1-7931 LRB 03/12/21

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