

Reps. Tabor, Palmer, Hoogendyk, Sheltroun, DeRossett, Vander Veen, Garfield, Sheen, Steil, Huizenga, Milosch, Robertson, Casperson, Acciavatti, Drolet, Pastor, Rocca, Emmons, Caswell, Pappageorge, Nofs, Farhat, DeRoche, Ward, Amos, Newell, LaJoy, Hummel, Brandenburg, Julian, Shackleton, Bisbee, Voorhees, Mortimer, Kooiman, Meyer, LaSata, Howell, Palsrok and Richardville offered the following resolution:

House Resolution No. 184.

A resolution to memorialize the Congress of the United States to enact the Protection of Lawful Commerce in Arms Act.

Whereas, Citizens have a right, protected by the Second Amendment to the United States Constitution, to keep and bear arms; and

Whereas, Lawsuits have been commenced against manufacturers, distributors, dealers, and importers of firearms that operate as designed and intended. These lawsuits seek monetary damages and other relief for the harm caused by the misuse of firearms by third parties, including criminals; and

Whereas, The manufacture, importation, possession, sale, and use of firearms and ammunition in the United States are heavily regulated by federal, state and local laws. Such federal laws include the Gun Control Act of 1968, the National Firearms Act, and the Arms Export Control Act; and

Whereas, Businesses in the United States that are engaged in interstate and foreign commerce through the lawful design, manufacture, marketing, distribution, importation, or sale to the public of firearms or ammunition that has been shipped or transported in interstate or foreign commerce are not, and should not, be liable for the harm caused by those who criminally or unlawfully misuse firearm products or ammunition products that function as designed and intended; and

Whereas, The possibility of imposing liability on an entire industry for harm that is solely caused by others is an abuse of the legal system, erodes public confidence in our nation's laws, threatens the diminution of a basic constitutional right and civil liberty, invites the disassembly and destabilization of other industries and economic sectors lawfully competing in the free enterprise system of the United States, and constitutes a reasonable burden on interstate and foreign commerce of the United States; and

Whereas, The purpose of S. 659, the Protection of Lawful Commerce in Arms Act, is to prohibit causes of action against manufacturers, distributors, dealers, and importers of firearms or ammunition products for the harm caused by the criminal or unlawful misuse of firearm products or ammunition products by others when the product functioned as designed and intended; and

Whereas, S. 659 will also preserve a citizen's access to a supply of firearms and ammunition for all lawful purposes, including hunting, self-defense, collecting, and competitive or recreational shooting. It will also guarantee a citizen's rights, privileges, and immunities, as applied to the states, under the Fourteenth Amendment to the United States Constitution, pursuant to section 5 of that Amendment. The Protection of Lawful Commerce in Arms Act will prevent the use of such lawsuits to impose unreasonable burdens on interstate and foreign commerce; and

Whereas, This legislation is intended to protect the right, under the First Amendment to the Constitution, of manufacturers, distributors, dealers, and importers of firearms or ammunition products, and trade associations, to speak freely, to assemble peaceably, and to petition the government for a redress of their grievances; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact S. 659, the Protection of Lawful Commerce in Arms Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.