

SR-134, As Adopted by Senate, April 20, 2010

Senators Kahn, McManus, Cropsey, Allen, Pappageorge, Barcia and Basham offered the following resolution:

Senate Resolution No. 134.

A resolution to urge the United States Supreme Court to clarify that the right to bear arms applies to individuals.

Whereas, Article I, Section 6 of the Michigan Constitution clearly affirms a right for individuals to bear arms. This provision prescribes that the primary purpose of the right to bear arms is not related solely to hunting but clearly allows Michigan citizens to be able to protect one's self, family, and possessions from the private lawlessness of other persons or potential tyranny of governments; and

Whereas, The Second Amendment of the United States Constitution also provides for the right of an individual to bear arms. The primary purpose of this individual right to bear arms is to enable an individual to protect one's self, family, and possessions and to protect the general private uses of firearms in activities such as hunting and other sporting activities. However, persons arguing recently before the U.S. Supreme Court are trying to restrict the application of the phrase "the right to bear arms"; and

Whereas, The U.S. Supreme Court recently heard arguments in *McDonald v. City of Chicago*. The city of Chicago's handgun ban, enacted in 1982, is one of the most restrictive bans in the United States. Those who support the ban assert the right to bear arms is not the same as the fundamental rights of freedom of speech or religion. They maintain that the right to bear arms applies to state militia, not individuals; and

Whereas, However, those who support the Second Amendment argue that the right to bear arms is an individual and fundamental right, overriding, in many cases, the power of the states. In addition, studies demonstrate that firearms in the hands of law-abiding citizens deter criminals and reduce the crime rate. Firearms can also encourage recreational and sporting activities. Finally, an armed citizenry cannot only serve to restrict a tyrannical government at home, but also prevent invasion from abroad; now, therefore, be it

Resolved by the Senate, That we urge the United States Supreme Court to clarify that the right to bear arms applies to individuals; and be it further

Resolved, That copies of this resolution be transmitted to members of the United States Supreme Court.