

By: Representatives Criswell, Brown (20th),
Carpenter, Eubanks, Hopkins, Williamson,
McLeod, Boyd, Arnold, Currie, Owen

To: Rules

HOUSE CONCURRENT RESOLUTION NO. 23

1 A CONCURRENT RESOLUTION DECLARING THE STATE OF MISSISSIPPI TO
2 BE A BILL OF RIGHTS SANCTUARY STATE.

3 WHEREAS, in order to ensure the rights of the citizens of the
4 State of Mississippi which are protected by the United States
5 Constitution, and the Bill of Rights of that Constitution, which
6 reserves the right of the citizens to decide on matters which
7 concern their lives, liberty and property in the ordinary course
8 of affairs:

9 Congress shall make no law respecting an establishment of
10 religion, or prohibiting the free exercise thereof; or abridging
11 the freedom of speech, or of the press, or the right of the people
12 peaceably to assemble; or to petition the government for a redress
13 of grievances;

14 A well regulated militia, being necessary to the security of
15 a free state, and the right of the people to keep and bear arms,
16 shall not be infringed;



17 No soldier shall, in time of peace, be quartered in any house
18 without the consent of the owner, nor in time of war, except in a
19 manner to be prescribed by law;

20 The right of the people to secure in his or her persons,
21 houses, papers and effects against unreasonable searches and
22 seizures shall not be violated, and no warrants shall issue, but
23 upon probable cause, supported by oath or affirmation, and
24 particularly describing the place to be searched, and persons or
25 things to be seized;

26 No person shall be held to answer for a capital, or infamous
27 crime, unless on a presentment or indictment of a grand jury,
28 except in cases arising in the land or naval forces, or in a
29 militia, when in actual service in time of war or public danger;
30 nor shall any person be subject for the same offence to be twice
31 put in jeopardy of life or limb; nor shall be compelled in any
32 criminal case to be a witness against himself; nor be deprived of
33 life, liberty, or property, without due process of law; nor shall
34 private property be taken for public use without just
35 compensation;

36 In all criminal prosecutions, the accused shall enjoy the
37 right to a speedy and public trial by an impartial jury of the
38 state and district wherein the crime shall have been committed,
39 which shall have been previously ascertained by law; to be
40 informed of the nature and cause of the accusation; to be
41 confronted with the witnesses against him or her; to have



42 compulsory process for obtaining witnesses in his or her favor;
43 and to have the assistance of counsel for his or her defense;

44 In lawsuits at common law, where the value in controversy
45 shall exceed twenty dollars, the right of trial by jury shall be
46 preserved, and no fact tried by a jury shall be otherwise
47 re-examined in any court of the United States, except according to
48 the rules of common law;

49 Excessive bail shall not be required, nor excessive fines
50 imposed, nor cruel and unusual punishments inflicted;

51 The enumeration in the Constitution of the United States of
52 certain rights shall not be construed to deny or disparage others
53 retained by the people; and

54 The powers not delegated to the United States by the
55 constitution, nor prohibited by it to the states, are reserved to
56 the states respectively, or to the people; and

57 WHEREAS, The Legislature finds that Section 1 of the
58 Fourteenth Amendment to the Constitution of the United States
59 declares that all persons born or naturalized in the United
60 States, and subject to the jurisdiction thereof, are citizens of
61 the United States and of the state wherein they reside, and no
62 state shall make or enforce any law which shall abridge the
63 privileges or immunities of citizens of the United States; nor
64 shall any state deprive any person of life, liberty, or property,
65 without due process of law; nor deny to any person within its
66 jurisdiction the equal protection of the laws; and



67 WHEREAS, the right of the people is further protected from
68 infringement by state, federal and local governments under the
69 Ninth, Tenth, and Fourteenth amendments to the Constitution of the
70 United States; and

71 WHEREAS, notwithstanding any law, regulation, rule or order
72 to the contrary, no agent, department, employee or official of the
73 State of Mississippi or political subdivision thereof, while
74 acting in his or her official capacity, shall knowingly and
75 willingly, participate in any way in the enforcement of any
76 unlawful or unconstitutional act, as defined in this resolution,
77 regarding freedom of religion, freedom of speech, freedom of the
78 people to peaceably assemble, freedom of the press, freedom to
79 petition the government for a redress of grievances, or the right
80 of the people to keep and bear arms; and

81 WHEREAS, as used in this resolution, an "unlawful act" means
82 any federal, state or local act, law, order, rule, or regulation,
83 which restricts an individual's constitutional rights, and shall
84 include, but not be limited to, the following:

85 (a) Any tax, levy, fee, or stamp imposed on firearms,
86 firearm accessories, or ammunition not common to all other goods
87 and services on the purchase or ownership of those items by
88 citizens;

89 (b) Any registration or tracking of firearms, firearm
90 accessories, or ammunition;



91 (c) Any registration or tracking of the owners of firearms,
92 firearm accessories, or ammunition;

93 (d) Any act forbidding the possession, manner of carry,
94 ownership, use, or transfer of any type of firearm, firearm
95 accessory, or ammunition by citizens of the legal age;

96 (e) Any act ordering the confiscation of firearms, firearm
97 accessories, or ammunition from citizens;

98 (f) Any prohibition, regulation, and or use restriction
99 related to ownership or the constitutionally guaranteed lawful use
100 or carry of firearms;

101 (g) Any use of state funds or funds given to the state by
102 any entity, to participate in a "gun buyback" program or event;
103 and

104 (h) Any use of state funds given to the state by any entity
105 that has violated an individual's rights as outlined in the Bill
106 of Rights; and

107 WHEREAS, the right to bear arms protection, as provided to
108 citizens by this resolution, does not apply to persons who have
109 been convicted of felony crimes, and this resolution is not
110 intended to prohibit or affect in any way the prosecution of any
111 crime for which the use of, or possession of, a firearm is an
112 aggravating factor or enhancement to an otherwise independent
113 crime, unless such crimes have been expunged by order of a court
114 of competent jurisdiction; and



115 WHEREAS, the provisions of this resolution are hereby
116 declared to be severable, and if any provision of this resolution
117 or the application of such provision to any person or circumstance
118 is declared invalid for any reason, such declaration shall not
119 affect the validity of the remaining portions of this resolution;
120 and

121 WHEREAS, the Legislature finds that the citizens of the State
122 of Mississippi have taken notice and voiced concerns for their
123 rights under the United States Constitution and Bill of Rights,
124 therefore, an emergency is declared to exist in the State of
125 Mississippi; and

126 WHEREAS, the State of Mississippi has the right to be free
127 from the commanding hand of the state and federal government, to
128 refuse to cooperate with state and federal government officials in
129 response to unconstitutional state and federal government
130 measures, and to proclaim a Bill of Rights sanctuary for
131 law-abiding citizens in the State of Mississippi; and

132 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
133 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING
134 THEREIN, That we do hereby declare the State of Mississippi to be
135 a Bill of Rights Sanctuary State.

136 BE IT FURTHER RESOLVED, That copies of this resolution be
137 furnished to members of the Capitol Press Corps.

