

REFERENCE TITLE: **opposing federal firearms legislation**

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
First Regular Session  
2009

## **HCM 2009**

Introduced by

Representatives Burges, Antenori, Barnes, Barto, Biggs, Boone, Gowan, Hendrix, Jones, Kavanagh, Mason, McComish, McGuire, Montenegro, Murphy, Reagan, Seel, Stevens, Williams, Senators Allen S, Gorman, Gould, Gray C, Gray L, Harper, Huppenthal, Nelson, Pearce R, Tibshraeny: Representatives Adams, Ash, Brown, Court, Crandall, Crump, Driggs, Goodale, Heinz, Konopnicki, Lesko, McLain, Miranda B, Nichols, Pancrazi, Patterson, Pratt, Quelland, Tobin, Weiers J, Weiers JP, Yarbrough, Senators Alvarez, Leff, Melvin, Pierce S, Verschoor, Waring (with permission of Committee on Rules)

### **A CONCURRENT MEMORIAL**

**URGING THE UNITED STATES CONGRESS TO OPPOSE ANY FEDERAL LEGISLATION THAT IMPINGES ON THE INDIVIDUAL RIGHT TO KEEP AND BEAR ARMS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States of America:

2 Your memorialist respectfully represents:

3 Whereas, the Second Amendment of the United States Constitution  
4 provides not only for a collective right or the right for the states to  
5 establish militias, but also for the right of the people to keep and bear  
6 arms; and

7 Whereas, the primary purpose of the right to keep and bear arms is to  
8 protect oneself and one's family and possessions from either the private  
9 lawlessness of other people or the tyranny of government; and

10 Whereas, the right to keep and bear arms is also meant to protect the  
11 general private uses of firearms in activities such as hunting and in other  
12 sporting activities; and

13 Whereas, the United States Supreme Court, in District of Columbia v.  
14 Heller, 128 S.Ct. 2783 (2008), struck down a firearms ban in the District of  
15 Columbia, explicitly ruling that the Second Amendment protects the right of  
16 the people to possess firearms for private use; and

17 Whereas, despite this ruling, legislation has been introduced in the  
18 United States House of Representatives calling for a system of mandatory  
19 federal licensing of all firearms owners; and

20 Whereas, the introduced legislation would require all firearms owners  
21 to apply for and carry a federally issued picture identification in order to  
22 keep any firearm in their homes; and

23 Whereas, this legislation would make it a federal crime to keep a  
24 loaded firearm or an unloaded firearm and ammunition within any premises,  
25 including, under certain circumstances, American homes where a child might be  
26 present; and

27 Whereas, this legislation specifically purports to preempt any state or  
28 local law inconsistent with it; and

29 Whereas, the introduced legislation, Blair Holt's Firearm Licensing and  
30 Record of Sale Act of 2009, is a direct imposition on the individual right of  
31 all Americans to keep and bear arms in their homes for their protection.

32 Wherefore your memorialist, the House of Representatives of the State of  
33 Arizona, the Senate concurring, prays:

34 1. That the United States Congress oppose the passage of the Firearm  
35 Licensing and Record of Sale Act of 2009, or any similar legislation, that  
36 would impinge on the individual right of every American to keep and bear arms  
37 in any manner.

38 2. That the Secretary of State of the State of Arizona transmit copies  
39 of this Memorial to the President of the United States Senate, the Speaker of  
40 the United States House of Representatives and each Member of Congress from  
41 the State of Arizona.