



HERKIMER COUNTY LEGISLATURE

No. 275

RESOLUTION OPPOSING SENATE BILL S.51001 AND ASSEMBLY BILL A.41001 REGARDING NEW YORK STATE'S CONCEALED CARRY LAW

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, The New York State Legislature recently enacted Senate Bill S.51001 and Assembly Bill A.41001, which among other things, makes obtaining and retaining a concealed carry gun permit an overly involved lengthy burdensome process, requiring citizens to divulge their social media accounts, and

WHEREAS, among the most onerous of its provision is that it makes it a felony for any individual who has a valid concealed carry permit to bring a handgun into any New York State Park, house of worship, and restaurants, where residents, businesses and municipalities operate, live, work, socialize, worship and pay taxes; and

WHEREAS, this legislation is the result of a knee-jerk, unvetted and political reaction to the recent Supreme Court decision, *New York State Rifle and Pistol Association, Inc., v. Bruen*, and was surreptitiously rushed through the legislature without public discourse, input, or knowledge; and

WHEREAS, the Herkimer County Legislature considers this law to be an unconstitutional infringement upon our Second Amendment right for law abiding citizens' right to bear arms and an overt infringement upon freedom and liberty in New York State, which is devoid of common sense and does nothing to deal with the problems of crime and illegal firearms; and

WHEREAS, the Herkimer County Legislature is strongly opposed and requests the repeal of the new gun control legislation changes requiring New York State citizens and various permit issuing agencies to navigate new regulations which are riddled with cumbersome, confusing, and redundant barriers of compliance, and that requires multiple processes of recertification which will lead to further confusion and create additional record sharing between agencies; now, therefore, be it

RESOLVED, that the Herkimer County Legislature vehemently, adamantly, and with full resolve, does oppose the new concealed carry law's remaining provisions, enacted by Senate Bill S.51001 and Assembly Bill A.41001, as they are also unconstitutional and violate United States law as stated in *New York State Rifle and Pistol Association, Inc. v. Bruen*, and are a veiled and poor attempt to skirt the *Bruen* decision, falling woefully short of any rational constitutional basis; and, be it further

RESOLVED, that the Herkimer County Legislature calls upon all other municipalities in the State of New York, the American Civil Liberties Union, other American Centers for Law and Justice, and any and all advocates who claim to protect freedom and liberty in the United States to immediately challenge this law in court as it is most clearly unconstitutional; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Sheriff, Governor of the State of New York, Senator Peter Oberacker, Senator James Tedisco, Assemblyman Robert Smullen, Assemblyman Brian Miller, Assemblywoman Marianne Buttenschon, and the New York State Association of Counties.

Dated: September 14, 2022.