

**STATE OF NEW YORK
YATES COUNTY LEGISLATURE
CLERK'S OFFICE**

Penn Yan, N.Y. October 11, 2022

I Hereby Certify, That I have compared the preceding with the original thereof, on file in the office of the Clerk of the County Legislature at Penn Yan, New York, and that the same is a correct transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the County Legislature of Yates County held at Penn Yan, New York on the 11th day of October 2022.

RESOLUTION NO. 396-22

**RESOLUTION OPPOSING THE NEW YORK STATE LEGISLATION RESTRICTING
2ND AMENDMENT RIGHTS, REGULATING LEGALLY AUTHORIZED
CONCEALED CARRY GUN PERMITS, AND BANNING CONCEALED CARRY IN
PUBLIC PLACES AS BEING AN UNCONSTITUTIONAL ATTACK UPON THE
RIGHTS OF LAW-ABIDING CITIZENS**

WHEREAS, the Second Amendment to the United States Constitution sets forth that a well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed; and

WHEREAS, in the wake of the evil, heinous actions against defenseless persons at Tops Market in Buffalo, the New York State Legislature seized on that terrible tragedy to rush through 10 new laws that are meant to erode the right of legal gun owners and punish the legal & legitimate businesses in the firearms industry; and

WHEREAS, shortly thereafter, the Bruen Opinion was handed down from the United States Supreme Court striking down the restrictive nature of laws limiting and pertaining to Pistol Permits in New York; and

WHEREAS, with the ink barely dry on New York's newest gun laws, the New York State Senate and Assembly, in response to the Bruen Opinion, rushed to pass 5.51001 & A.41001 during an Extraordinary Session that essentially gutted the Second Amendment rights of citizens across New York State to carry their concealed firearm in public; and

WHEREAS, this makes the process for obtaining a concealed carry gun permit overly involved, lengthy, and burdensome, requiring citizens to divulge their social media accounts, and 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 or restaurant, where residents, businesses and municipalities live, operate, work, socialize, worship and pay taxes; and

WHEREAS, the New York State Sheriffs' Association recognized, these new laws as "punitive licensing requirements that aim only to restrain and punish law-abiding citizens who wish to exercise their Second Amendment Rights"; and

WHEREAS, as the County Legislators, take an oath of office to uphold the Constitution and this a clearly a flagrant violation of the constitutional rights of our citizens, taking away their ability to protect themselves and their loved ones ultimately seeks to disarm our residents;

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature reaffirms the Second Amendment and vehemently, adamantly, and with full resolve strongly opposes the new concealed carry law's (S.51001/A.41001) remaining provisions which are restricting the locations where a law abiding citizen, with a proper concealed carry permit, may lawfully carry a concealed weapon; and be it further

RESOLVED, that these restrictions are unconstitutional and violate the holding of New York State Rifle and Pistol Association, Inc., v. Bruen, and this poorly veiled attempt to skirt Bruen, falls woefully short of any rational constitutional basis and therefore, the Yates County Legislature calls for its repeal; and be it further

RESOLVED, that the Yates County Legislature is committed to pursuing all legislative and legal remedies, either alone or in concert with other like-minded counties and organizations, to overturn this assault on our Constitutional rights; and be it further

RESOLVED, that copies of this resolution be sent to all New York State Counties, Governor Hochul, Senator Tom O'Mara, Assemblyman Phil Palmesano, and all others deemed necessary and proper.

ATTEST



Clerk of the Yates County Legislature