**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3399**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Huggins, Kennedy and Quinn

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Companion/Similar bill(s): 224

Introduced in the House on January 23, 2013

Currently residing in the House Committee on **Judiciary**

Summary: Firearms

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/23/2013 House Introduced and read first time ([House Journal‑page 13](file:///h:\HJ%20Archive\2013\01-23-13.docx))

1/23/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 13](file:///h:\HJ%20Archive\2013\01-23-13.docx))

**VERSIONS OF THIS BILL**

[1/23/2013](file:///p:\pprever\2013-14\3399_20130123.docx)

**A** **JOINT RESOLUTION**

TO NULLIFY IN SOUTH CAROLINA ANY PRESIDENTIAL EXECUTIVE ORDER RESTRICTING, ABRIDGING, OR OTHERWISE INFRINGING UPON A CITIZEN’S SECOND AMENDMENT RIGHT TO KEEP AND BEAR ARMS.

Whereas, the Second Amendment to the United States Constitution states that “the right of the people to keep and bear arms, shall not be infringed”; and

Whereas, in the landmark case of the District of Columbia v. Heller, the United States Supreme Court held that the Second Amendment protects the individual right of each citizen to keep and bear arms; and

Whereas, the President of the United States may issue executive orders to direct and manage the operation of the executive branch of the federal government; and

Whereas, executive orders issued by the President may not exceed his constitutional authority or stand in violation of any legislation passed by Congress, and Congress retains the power to overturn executive orders; and

Whereas, the President of the United States has threatened to issue an executive order related to the restriction of the free exercise of the Second Amendment by the citizens of the United States; and

Whereas, an executive order to restrict, abridge, or otherwise infringe upon the free exercise of the Second Amendment by the citizens of the United States exceeds the President’s constitutional authority and is therefore void ab initio. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A federal executive order restricting, abridging, or otherwise infringing upon the free exercise of a citizen’s second amendment right to keep and bear arms is unconstitutional and must not be enforced by any federal, state, or local law enforcement agency within South Carolina.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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