

STATE OF LOUISIANA

PARISH OF WASHINGTON

WASHINGTON PARISH COUNCIL

RESOLUTION NO. 20-1017

**RESOLUTION IN SUPPORT OF
THE SECOND AMENDMENT OF THE UNITED STATES
CONSTITUTION AND ARTICLE 1, SECTION 11
OF THE LOUISIANA CONSTITUTION OF 1974 AS AMENDED**

WHEREAS, the Second Amendment of the United States Constitution states: *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, Article 1, Section 11 of the Louisiana Constitution of 1974 originally stated as follows: *The right of each citizen to keep and bear arms shall not be abridged, but this provision shall not prevent the passage of laws to prohibit the carrying of weapons concealed on the person.*; and

WHEREAS, in 2012, the citizens of the State of Louisiana voted to amend Article 1, Section 11 of the Louisiana Constitution of 1974 so it now reads as follows: *The right of each citizen to keep and bear arms is fundamental and shall not be infringed. Any restriction on this right shall be subject to strict scrutiny.*; and

WHEREAS, in *State vs. Draughter*, Sup. 2013, 130 So.3d 855, 2013-0914 (La. 12/10/13) the Louisiana Supreme Court stated that the intent of the Louisiana constitutional amendment recognizing the right to keep and bear arms as a fundamental right and prescribing strict scrutiny review of any limitations thereto is to secure a continued individual right to bear arms under the Louisiana Constitution and to protect that right from possible future judicial or legislative erosion.; and

WHEREAS, in the matter of *State In interest of D.W.*, App. 5 Cir. 2013, 125 So.3d 1180, 13-114 (La. App. 5 Cir. 9/18/13) writ denied 135 So.3d 639, 2013-2478 (La. 4/4/14) it was stated that under the strict scrutiny test applicable to the state constitutional right to keep and bear arms, the state legislative action may be justified only by a compelling state interest, and the state legislative action must be narrowly confined so as to further only that compelling interest.

THEREFORE, BE IT RESOLVED, that the Washington Parish Council declares that it fully supports the right of each citizen to keep and bear arms as a fundamental right in accordance with and provided by the United States Constitution, the Louisiana Constitution and the laws of the United States and the State of Louisiana.

BE IT FURTHER RESOLVED, that the strict language of the Louisiana Constitution as amended in 2012 is intended to protect a citizen's right to keep and bear arms from possible future judicial or legislative erosion.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: (7) Fornea, McMasters, King, Culpepper, Rice, Wagner and Harry

NAYS: (0)

ABSENT: (0)

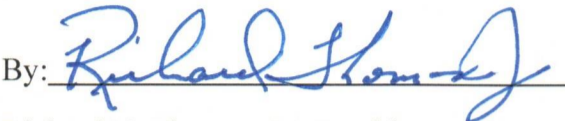
ABSTAIN: (0)

WASHINGTON PARISH COUNCIL

By: 

Thomas R. Fornea, Chairman

WASHINGTON PARISH GOVERNMENT

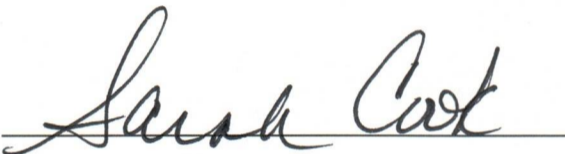
By: 

Richard N. Thomas, Jr., President

CERTIFICATION

I, SARAH COOK, CLERK TO THE WASHINGTON PARISH COUNCIL, do hereby certify that this is a true and correct copy of the Resolution adopted by the Washington Parish Council, in regular session convened on the 13th day of July, 2020, at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE, this 13th day of July, 2020 Franklinton, Louisiana.



Sarah Cook, Clerk
Washington Parish Council

