

BILL ANALYSIS

Senate Research Center
81R17164 MMS-F

S.C.R. 54
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In *District of Columbia v. Heller* (2008), the Supreme Court of the United States (U.S.) held that the Second Amendment to the U.S. Constitution protects an individual's right to possess a firearm for private use.

On January 6, 2009, U.S. Representative Bobby Rush (D-Illinois) introduced H.R. 45, titled Blair Holt's Firearm Licensing and Record of Sale Act of 2009 (Act), to the U.S. Congress. The bill has since been referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Among other requirements and prohibitions, the Act calls for a system of mandatory federal licensing of all firearm owners and requires all firearm owners to apply for and carry a federally issued picture identification in order to keep any firearm in their homes. The Act also makes it a federal crime, under certain circumstances, to keep a loaded firearm or an unloaded firearm and ammunition within any premises, including American homes, where a child may be present. In addition, the Act directs the attorney general to establish and maintain a federal record of sale system and purports to preempt any state or local law inconsistent with the Act. The Act is a direct imposition on each American's individual right to keep and bear arms in one's home and for one's protection.

S.C.R. 54 memorializes the U.S. Congress to cease and desist attempting to enact the Act and requests that the resolution be forwarded to key members of the U.S. Congress and be officially entered in the Congressional Record as a memorial to the U.S. Congress.

RESOLVED

That the 81st Legislature hereby memorialize the United States (U.S.) Congress to cease and desist attempting to enact federal legislation impinging on the individual right of every American to keep and bear arms in any manner and urge that members of Congress oppose the passage of the Blair Holt's Firearm Licensing and Record of Sale Act of 2009.

That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the U.S. Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States.