

04/09/2025 09:10:49 AM Page 1 of 2 BOC20250017
BOCC - Resolution BETH ZILLA PHILLIPS COUNTY
REC FEE: 0.00 DOC FEE: TOTAL FEE: 0.00

STATE OF COLORADO)
) ss
COUNTY OF PHILLIPS)

RESOLUTION No. 2025-04-09-01

A JOINT RESOLUTION OF THE PHILLIPS COUNTY COMMISSIONERS AND THE PHILLIPS COUNTY SHERIFF OPPOSING COLORADO SENATE BILL 25-003

WHEREAS, Senate Bill 25-003, which, if passed, will regulate the manufacture, distribution, transfer, sale, and purchase of specified semi-automatic firearms and classify a rapid-fire device as a prohibited dangerous weapon;

WHEREAS, the Second Amendment to the United States Constitution, adopted in 1791 as part of the Bill of Rights, protects the inalienable and individual right of the people to keep and bear arms;

WHEREAS, the Supreme Court in the *District of Columbia v. Heller*, 554 U.S. 570 (2008), held that "[t]he Second Amendment ... is the very product of an interest balancing by the people ... (which) surely elevates above all other interests the rights of law-abiding, responsible citizens to use arms in defense of hearth and home ...";

WHEREAS, the Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the "infringement by the States";

WHEREAS, the Supreme Court, in *United States v. Miller*, 307 U.S. 174 (1939), opined that firearms that could "contribute to the common defense" are protected by the Second Amendment;

WHEREAS, Article II, Section 3 of the Constitution of Colorado provides that all "persons have certain inalienable rights, among which may be reckoned the right of enjoying and defending their lives and liberties; of acquiring, possessing and protecting property; and of seeking and obtaining their safety and happiness ...";

WHEREAS, Article II, Section 13 of the Constitution of Colorado provides that the "right of no person to keep and bear arms in defense of his home, person and property, or in aid of the civil power when thereto legally summoned, shall be called in question ...";

WHEREAS, Article II, Section 11 of the Constitution of Colorado provides that no "ex post facto law, nor law impairing the obligation of contracts, or retrospective in its operation ... shall be passed by the general assembly ...";

WHEREAS, Senate Bill 25-003 will impose unconstitutional, harsher, unnecessary, and ineffective restrictions on law-abiding citizens and result in an unconstitutional overreach by the Colorado General Assembly;

WHEREAS, Senate Bill 25-003 imposes another unfunded mandate on Counties to manage the licensing process for semi-automatic firearms, resulting in increased costs for personnel, record-keeping, and regulatory oversight;

WHEREAS, many Counties are currently struggling to provide essential services and infrastructure to their citizens and Senate Bill 25-003 will divert even more funding away from these services;

WHEREAS, Senate Bill 25-003 will also have a detrimental impact on firearm-related businesses, including manufacturers, retailers, and sporting organizations that contribute to local economies and could result in job losses, decreased tax revenue, and harm to small businesses;

WHEREAS, the Board of County Commissioners and the Phillips County Sheriff took an oath to support and defend the United States Constitution, the Constitution of the State of Colorado and the laws of

the State of Colorado and by implication, question the constitutionality of legislation that infringes upon Constitutional rights, while supporting practical and effective public safety measures;

WHEREAS, Senate Bill 25-003 does not represent practical and effective public safety measures and imposes excessive and unnecessary burdens on responsible and law-abiding gun owners, counties, and law enforcement agencies; and


WHEREAS, Senate Bill 25-003 disregards the values of the citizens of Phillips County, will negatively impact them financially, and will infringe upon and harm their quality of life.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Phillips, State of Colorado, that the Board of County Commissioners and the Phillips County Sheriff strongly oppose Senate Bill 25-003 and urge Governor Polis to veto this legislation and consider alternative approaches that respect constitutional rights while effectively addressing public safety concerns.

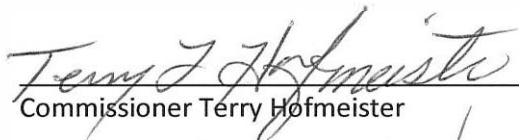
THE ABOVE AND FOREGOING RESOLUTION WAS, ON A MOTION DULY MADE AND SECONDED, ADOPTED THIS 9th DAY OF APRIL 2025, BY UNANIMOUS VOTE OF THE BOARD OF PHILLIPS COUNTY COMMISSIONERS.

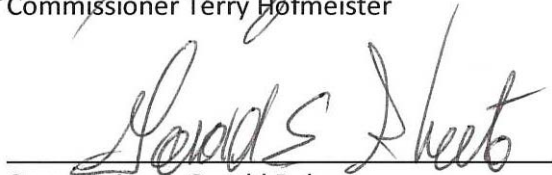
BOARD OF COUNTY COMMISSIONERS
COUNTY OF PHILLIPS, COLORADO

PHILLIPS COUNTY SHERIFF


Commissioner Tom Timm, Chairman


Michael Beard


Commissioner Terry Hofmeister


Commissioner Garold Roberts

ATTEST:


Clerk & Recorder, Beth Zilla


Deputy Clerk