

**TOWNSHIP OF DELAWARE
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

**RESOLUTION 2022-131
IN OPPOSITION TO NEW JERSEY SENATE BILL S3214**

WHEREAS, the Second Amendment to the United States Constitution guarantees that “the right of the people to keep and bear arms *shall* not be infringed; and

WHEREAS, the Supreme Court of the United States has recently affirmed that “[t]he Constitutional right to bear arms in public for self-defense is not a ‘second class right, subject to an entirely different body of rules than the other Bill of Rights guarantees.’” New York State Rifle & Pistol Assn. Inc. v. Bruen, 142 S. Ct. 2111,2156 (2022)(quoting McDonald v. City of Chicago, 130 S. Ct. 3020,3044 (2010)); and

WHEREAS, in order to justify any regulation on the rights guaranteed by the Second Amendment. “the government must demonstrate that the regulation is consistent with this Nation’s historical tradition of firearms regulation” Bruen, Supra, 142 S. Ct. at 2126 ; and

WHEREAS, in order for a regulation that attempts to limit or infringe on a fundamental right to be legal and enforceable, that regulation must be narrowly tailored to achieve a compelling state interest; and

WHEREAS, on October 17, 2022, the New Jersey Senate introduced S3214, which was then referred to the Senate Law and Public Safety Committee; and

WHEREAS, S3214, seeks to impose many novel and burdensome restrictions upon the rights guaranteed by the Second Amendment, including but not limited to the following:

- Restricting firearms from being carried on any private property without the prior express consent of the property owner;
- Restricting firearms from being carried in vehicles;
- Restricting firearms from being carried in public parks, beaches, and recreation areas;
- Requiring individuals to carry a handgun concealed on their person and in a holster with a retention strap at all times;
- Conditioning the Constitutional Right to carry a firearm upon a physical demonstration of shooting proficiency and accuracy;
- Requiring individuals to obtain firearms liability insurance; and in the current instance, in the amount of \$100,000 (per person)/\$300,00 (per occurrence);
- Requiring individuals to carry proof of insurance with them at all times;
- Raising the application fee from \$50 to \$200 dollars (in addition to the fees for the mandatory firearms qualification and fingerprinting);
- Raising the application fee for a firearm purchase identification card from \$5 to \$50;
- Raising the application fee for a permit to purchase a handgun from \$2 to \$25;

WHEREAS, firearms have long been enmeshed in the culture of rural and agricultural communities in the State of New Jersey, and the residents of Delaware Township share a rich history of safe and responsible gun ownership; and

WHEREAS, the foregoing restrictions, among others, would disenfranchise residents of the Township of Delaware from having the legal and financial means to exercise their fundamental right to keep and bear arms that is protected by the Second Amendment of the United States Constitution; and

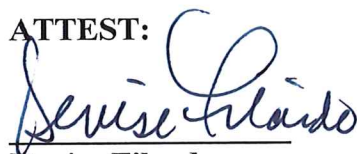
WHEREAS, each member of this governing body took an oath of office to uphold and defend the Constitution of the United States and the Constitution of the State of New Jersey; and

WHEREAS, each member of the New Jersey Senate and Assembly also took an oath of office to uphold and defend the Constitution of the United States and the Constitution of the State of New Jersey; and

WHEREAS, the Delaware Township Committee strongly supports and will defend all rights belonging to its residents, including those guaranteed by the Second Amendment to the United States Constitution; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Delaware in the county of Hunterdon and State of New Jersey, for the reasons stated above, hereby oppose New Jersey Senate Bill S3214, as currently drafted, and strongly urge the New Jersey State Senate and Assembly to oppose this Bill.

ATTEST:


Denise Filardo


James Waltman, Mayor