

1 A RESOLUTION urging the General Assembly to oppose the adoption of a "Red
2 Flag" law, or any legislation intended to infringe upon a law-abiding citizen's right to
3 keep and bear arms as afforded by the Second Amendment to the United States
4 Constitution.

5 WHEREAS, the citizens of the Commonwealth of Kentucky are protected by the
6 Due Process Clause of the Fourteenth Amendment to the United States Constitution,
7 which states that no person shall be deprived of life, liberty, or property without due
8 process of law; and

9 WHEREAS, the presumption of innocence, although not articulated in the United
10 States Constitution, is a basic component of a fair trial under our system of criminal
11 justice; and

12 WHEREAS, KRS 500.070(1) states that the Commonwealth has the burden of
13 proving every element of a criminal case beyond a reasonable doubt; and

14 WHEREAS, the Sixth Amendment to the United States Constitution states that the
15 accused shall enjoy the right to a speedy and public trial by an impartial jury, to be
16 informed of the nature and cause of the accusation, to be confronted with the witnesses
17 against accused, to have compulsory process for obtaining witnesses in his favor, and to
18 have assistance of counsel for a defense; and

19 WHEREAS, Section 7 of the Constitution of Kentucky states that the ancient mode
20 of trial by jury shall be held sacred, and the right thereof remain inviolate;

21 NOW, THEREFORE,

22 *Be it resolved by the House of Representatives of the General Assembly of the*
23 *Commonwealth of Kentucky:*

24 ➔Section 1. This august body stands in firm opposition to a "Red Flag" law or
25 any proposed legislation intended to infringe upon a law-abiding citizen's right to keep
26 and bear arms as afforded by the Second Amendment to the United States Constitution.

27 ➔Section 2. The clerk of the House of Representatives is directed to forward a

- 1 copy of this Resolution to Governor Andy Beshear and Attorney General Russell
- 2 Coleman.