

RESOLUTION NO. 2025-17

STATE OF COLORADO)

) ss.

County of Bent)

At a Regular Meeting of the Board of County Commissioners for Bent County, Colorado, held at the Courthouse in Las Animas, Colorado, on the 15th day of May, A.D., 2025, there were present:

Alan Stump,	Chairman
Phil Hemphill,	Commissioner
Jennifer Scofield,	Commissioner
G. Douglas Bankert,	Administrator
Lynda G. Moss,	Clerk to the Board

Chairman
Commissioner
Commissioner
Administrator
Clerk to the Board

WHEREAS, the Constitution of the United States is the supreme law of the land; and

WHEREAS, the Second Amendment to the Constitution of the United States 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 II, Section 13 of the Constitution of the State of Colorado also provides: “The right of no person to keep and bear arms in defense of his home, person and property...shall be called in question” notwithstanding regulations on concealed carry; and

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller* (2008) affirmed that the Second Amendment protects an individual’s right to keep and bear arms for self-defense, and in *McDonald v. Chicago* (2010) held that this right is incorporated against the states through the Fourteenth Amendment; and

WHEREAS, the Board recognizes the anti-commandeering doctrine, as upheld in *Printz v. United States* (1997), which prohibits compelling local officials to enforce unconstitutional state or federal laws; and

WHEREAS, the Bent County Board of Commissioners has sworn an oath to support and defend the Constitution of the United States and the Constitution of the State of Colorado; and

WHEREAS, Colorado Senate Bill 003 (SB-003), signed into law on April 10, 2025, introduces significant restrictions on the manufacture, sale, and purchase of specified semiautomatic firearms, including:

- Prohibiting the manufacture, distribution, transfer, sale, or purchase of semiautomatic rifles, shotguns, and gas-operated handguns with detachable magazines, unless the purchaser obtains a "firearms safety course eligibility card" after completing a state-approved safety course;
- Requiring individuals to complete a background check and a firearms safety course to obtain the eligibility card, with the course focusing on gun safety, mental health considerations, and Colorado's red flag law;
- Granting sheriffs the authority to deny or revoke eligibility cards based on a "reasonable belief" that the applicant may pose a danger to themselves or others;

and

WHEREAS, the Bent County Board of Commissioners believes that SB-003 infringes upon the constitutionally protected rights of law-abiding citizens to keep and bear arms, imposes undue burdens on lawful firearm ownership, and constitutes an overreach of legislative authority; and

WHEREAS, the Board recognizes and affirms the rights of individual citizens to lawfully keep and bear arms, as guaranteed by the United States and Colorado Constitutions.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Bent County, Colorado, as follows:

1. Declaration of Second Amendment Sanctuary

Bent County hereby declares itself to be a Second Amendment Sanctuary County.

2. Opposition to SB-003

The Bent County Board of Commissioners hereby expresses its opposition to the passage and enforcement of SB-003 or any similar legislation that would infringe upon the constitutionally protected rights of its citizens to keep and bear arms.

3. Non-Participation in Unconstitutional Measures

The Board affirms that any law—state or federal—that infringes upon rights guaranteed by the Constitution of the United States is null and void and holds no lawful authority, consistent with *Marbury v. Madison* (1803) and *Norton v. Shelby County* (1886).

Accordingly, no county resources—whether financial, personnel, or facilities—will be used to enforce or comply with firearm restrictions imposed by SB-003 or similar legislation, unless such law has been upheld as constitutional by the Supreme Court of the United States, which this Board recognizes as the final authority on the Second Amendment. The Board further acknowledges the anti-commandeering doctrine affirmed

in *Printz v. United States* (1997), which prohibits the federal or state governments from compelling local officials to administer or enforce federal or state laws, particularly those not affirmed as constitutional by the Supreme Court.

4. Sheriff's Enforcement

The Bent County Sheriff will not enforce provisions of SB-003, or similar legislation, that infringe upon the Second Amendment rights of citizens, to the extent permitted under the Constitution and applicable law.

5. Support for Lawful Gun Ownership

The County supports and upholds the rights of law-abiding citizens to own, possess, and use firearms for lawful purposes, including but not limited to self-defense, hunting, and recreational shooting.

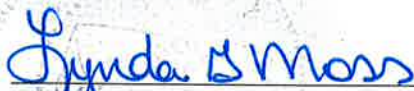
6. Distribution

A copy of this Resolution shall be sent to the Governor of Colorado, the Colorado General Assembly, and to all relevant state and federal agencies as evidence of the County's stance.

APPROVED, AND ADOPTED ON THE 15th DAY OF MAY, 2025.

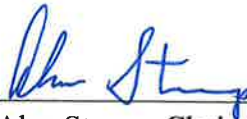
ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BENT COUNTY, STATE OF COLORADO:



Lynda G. Moss,

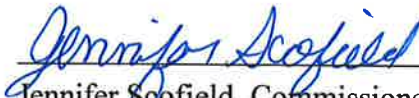
Bent County Clerk



Alan Stump, Chairman



Phil Hemphill, Commissioner



Jennifer Scofield, Commissioner

ACKNOWLEDGED:



Jake Six, Bent County Sheriff