

**Second Amendment advocate/Ohio voter
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TO: Members of the House State and Local Government Committee

RE: Support for HB62, the Second Amendment Preservation Act (SAPA)

HB62 is designed to protect lawful gun owners from Federal gun control laws that may pass during anti-gun administrations. SAPA is based on the “Anti-Commandeering Doctrine,” which acknowledges that states are individual, sovereign entities and that the federal government cannot simply commandeer their legislative process or the use of their resources.

Specifically, it simply says that the State of Ohio, nor any of its political subdivisions nor any of its officials, can use any of its resources to aid federal government in the enforcement of its gun control laws. It further stipulates that the only gun control laws that will apply to Ohioans are ones that Ohioans codify in state statute.

HB62 is based on the same doctrine that states like California have used to make themselves “Sanctuary States” for illegal immigrants, only in this case it is the state of Ohio making itself a Sanctuary State for the Right to Keep and Bear Arms. HB62 emboldens constitutional state office holders and officials to do their duty to protect the people’s Right to Keep and Bear Arms.

The Anti-Commandeering Doctrine has been upheld in the U.S. Supreme Court on many instances: 1842, *Prigg v. Pennsylvania*; 1992, *New York v. United States*; 1997, *Printz v United States*; 2012, *NFIB v. Sebelius* & 2018, *Murphy v. NCAA et al.*

HB62 is powerful since the Federal Government lacks the resources to do its own work, and relies on state and local resources, including law enforcement officers and facilities and equipment to do their job in any wholesale fashion, which the states have the right to refuse. Since the Anti-Commandeering doctrine prohibits the federal government from forcing states to participate in the enforcement of federal gun control laws, the federal government usually resorts to bribery of states in the forms of grant funding. Knowing this, SAPA law prohibits state and local governments and officials from accepting grants that make as a contingency their participation in the enforcement of unconstitutional federal gun-control edicts.

HB62 has teeth that protect gun owners, unlike recent “sanctuary county resolutions,” which do not rely on “government to protect you from government.” It does not require a county prosecutor or attorney general to do their job before rights are protected. SAPA has a private cause of action so that any citizen whose rights have been violated has the right to sue in civil court. Sovereign, official, and qualified immunity are stripped so that government actors cannot claim to be above the law. The Governor all the way to township trustees and mayors could be held accountable if they in any way indulge in Federal gun control enforcement. Including Dayton Mayor Nan Whaley, Columbus Mayor Andrew Ginther, et al.

HB62 is not anti-law enforcement. It protects law enforcement officials who want to uphold their oath of office and constitutional duty and provides them legal cover to say “NO” should their superiors give them an order that violates the Constitution.

HB62 also will not affect or empower people to buy machine guns or other firearms prohibited by federal law. Most firearms prohibited by federal law are already illegal under Ohio law.

HB62/SAPA is wholeheartedly supported by grassroots gun owners, especially considering impending gun-control from the Biden Regime’s takeover of Washington DC.

Passing HB62/SAPA will keep Ohio first. Thank you!

**Sincerely,
Kenric J Garrison**