

RESOLUTION

Resolution Opposing HB 5471, otherwise known as Public Act 102-1116, and Supporting Its Repeal in the Illinois State Legislature (12)

WHEREAS, all McHenry County Board Members and Elected Officials have sworn an oath in word and signature to support the Constitution of the United States, and the Constitution of the State of Illinois; and

WHEREAS, the County of McHenry recognizes the need to object when legislation or policy from the State or Federal legislatures infringe upon the constitutional rights of its citizens; and

WHEREAS, HB 5471, otherwise known as the “Protect Illinois Communities Act” was passed in a ‘lame duck’ session of the 102nd Illinois General Assembly and signed into law as Public Act 102-1116 by Governor Pritzker on January 10th, 2023; and

WHEREAS, the County of McHenry finds that HB 5471, otherwise known as Public Act 102-1116, based on common understanding of the Constitution of the United States and prevailing case law including *District of Columbia v. Heller*, 554 U.S. 570 (2008), *New York Rifle and Pistol Ass’n v. Bruen*, 142 S. Ct. 2111 (2022), and *McDonald v. City of Chicago*, 130 S. Ct. 3020 (2010), violates Illinois residents’ rights under the Second Amendment of the Constitution of the United States among other constitutional protections; and

WHEREAS, the County of McHenry also believes and otherwise objects to the passage of HB 5471, otherwise known as Public Act 102-1116, as violating Article IV, Section 8 of the Constitution of the State of Illinois; and

WHEREAS, HB 5471, otherwise known as Public Act 102-1116, unconstitutionally, among other aforementioned infringements, disarms law-abiding citizens in violation of citizens’ Second Amendment rights; and

WHEREAS, HB 5471, otherwise known as Public Act 102-1116, threatens to make felons out of otherwise law-abiding citizens for exercising their constitutional rights; and

WHEREAS, the County of McHenry recognizes the right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment of the Constitution of the United States; and

WHEREAS, HB 5471, otherwise known as Public Act 102-1116, effectively bans possession of, among other firearms, all semi-automatic rifles, including those most commonly possessed and lawfully used by citizens; and

WHEREAS, the passage of HB 5471, otherwise known as Public Act 102-1116, will negatively impact the lives, jobs, and businesses in the County of McHenry, resulting in countless loss of jobs and economic activity for its citizens; and

WHEREAS, the negative financial impacts on firearm safety training ranges due to the passage of HB 5471, otherwise known as Public Act 102-1116, may reduce opportunities for firearm owners to learn about the legal requirements, safe usage, and proper maintenance of their firearms; and

WHEREAS, the McHenry County Board supports and encourages the McHenry County State’s Attorney to pursue any and all remedies against HB 5471, otherwise known as Public Act 102-1116, within the purview of his office.

NOW, THEREFORE BE IT RESOLVED, by the County Board of the County of McHenry, Illinois that HB 5471, otherwise known as Public Act 102-1116 or the “Protect Illinois Communities Act”, should be immediately repealed; and

BE IT FURTHER RESOLVED, that a copy of our resolution be immediately sent to all state office holders representing any portion of the County of McHenry, and to the Office of Governor of the State of Illinois; and

DATED at Woodstock, Illinois, this 21st day of February, A.D., 2023.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk



McHenry County Board

County Board Room
Woodstock, IL 60098

Meeting: February 21, 2023
Department: County Administration
Prepared By: Kathie Bough

RESOLUTION

SUBJECT: Resolution Opposing HB 5471, otherwise known as Public Act 102-1116, and Supporting Its Repeal in the Illinois State Legislature (12)

Board / Committee Action Requested:

To approve the resolution opposing HB 5471, otherwise known as Public Act 102-1116, and supporting its repeal in the Illinois State Legislature.