

**TOWN OF SCITUATE  
STATE OF RHODE ISLAND**

**25-06**

**RESOLUTION REQUESTING THE GENERAL ASSEMBLY TO SUPPORT OUR  
CONSTITUTIONAL RIGHTS TO KEEP AND BEAR ARMS  
AND  
TO OPPOSE THE 2025 GUN CONTROL LEGISLATION**

WHEREAS, The Town Council of the Town of Scituate pursuant to Rhode Island statute is vested with the authority of administering the affairs of the Town of Scituate, Rhode Island; and

WHEREAS, The health, safety, and welfare of the citizens of the Town of Scituate are matter paramount importance to the Town Council; and

WHEREAS, The Second Amendment to the United States Constitution, ratified on December 15, 1791, as part of the Bill of Rights, protects the individual right of the people to keep and bear arms; and

WHEREAS, In 2008, the United States Supreme Court in *District of Columbia v. Heller* affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, In 2010, the United States Supreme Court in *McDonald v. Chicago* affirmed that the right of an individual to "*keep and bear arms*," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment and is applicable to the states; and

WHEREAS, In 2022, the United States Supreme Court in *New York State Rifle & Pistol Association v. Bruen* held that the protections of the Second Amendment extend beyond the home and announced the standard to be used in assessing Second Amendment challenges to firearm laws: when the plain text of the Second Amendment covers the regulated conduct, the Constitution presumptively protects it; to justify a regulation of that conduct, the government must demonstrate that a challenged law is consistent with the nation's historical tradition of firearm regulation; and

WHEREAS, Article I, Section 22 of the Rhode Island Constitution adopted in 1842, provides that "*The right of the people to keep and bear arms shall not be infringed.*"; and

WHEREAS, Article I, Section 6 of the Rhode Island Constitution provides that "*The right of the people to be secure in their persons, papers and possessions, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue, but on complaint in writing, upon probable cause, supported by oath or affirmation and describing as nearly as many as may be, the place to be searched and the persons or things to be seized.*"; and

WHEREAS, As a matter of general principle, and in recognition of over 230 years of lawmaking under the guidance of the Constitution for the United States of America having properly established numerous laws regarding criminal use of firearms that are wholly adequate when judiciously enforced such that additional laws are unneeded, any law which upon

passage renders a life-long law-abiding citizen a felon through no action of their own, is an unjustified law and should be unconstitutional under multiple amendments in the Bill of Rights; and

WHEREAS, It is the desire of the Town Council of the Town of Scituate to declare its support of the United States Constitution and to the Rhode Island Constitution and to protect the Constitutional Rights of law-abiding citizens to keep and bear arms; and

WHEREAS, The Scituate Town Council desires to protect the rights of law-abiding citizens, and those individuals who have committed crimes with firearms should be fully prosecuted with existing laws on the books; and

WHEREAS, Bills that have been passed and are being considered by the General Assembly would require the confiscation and storage of otherwise lawfully owned firearms, and make the Towns and Cities of Rhode Island, responsible for these costs; and

WHEREAS, Rhode Island firearm purchase requirements already include a background check, a seven-day waiting period, and a “Blue Card” for the purchase of handguns; and additionally, a lengthy process for obtaining a concealed carry permit - all evidence of some of the most restrictive gun purchase/ownership laws in the country; and

WHEREAS, the Rhode Island General Assembly, in its 2025 legislative session has pending before it bills regulating and unconstitutionally restricting the rights guaranteed the citizens of the State of Rhode Island as protected through the United States’ Constitution and the Constitution of the State of Rhode Island, most notably including, but not limited to House Bill 5436 and Senate Bill 359, the “Rhode Island Assault Weapons Ban Act of 2025”, which seeks restrict the constitutional rights of citizens by prohibiting a wide range of semiautomatic firearms commonly possessed by our citizens today.

WHEREAS, the so-called “assault weapons” targeted in proposed legislation is sweepingly broad and includes many semiautomatic rifles, shotguns, and handguns in common use for competition, self-defense, and hunting usage; and

WHEREAS, these bills not only penalize law-abiding citizens from exercising their Constitutional right to own a firearm, but they also damage federally licensed firearms dealers, who are Rhode Island business owners. They would most certainly restrict their sales and livelihood; and

WHEREAS, the Scituate Town Council members each took an oath to support and defend the United States Constitution, the Rhode Island Constitution, and the laws of the State of Rhode Island which are not deemed unconstitutional by a court of competent jurisdiction.

WHEREAS, the Scituate Town Council desires the Rhode Island General Assembly to protect the Constitutional rights of law-abiding citizens to keep and bear arms from being infringed.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Scituate hereby takes the following position to oppose the passage of House Bill 5436 and Senate Bill 359 in their current forms that potentially abridges our rights. We find and declare that these gun restriction bills,

if enacted by the Rhode Island General Assembly, infringe upon the rights of the People of the Town of Scituate and the People of the State of Rhode Island to keep and bear arms.

BE IT FURTHER RESOLVED that these bills impose unfunded mandates upon local governments; and the Town Council of the Town of Scituate will not appropriate funds for capital construction of building space and/or the purchase of storage systems to store weapons seized, pursuant to any requirements set forth in the legislation if enacted by the General Assembly for the purpose of enforcing any law, that unconstitutionally infringes upon the rights of the People of the Town of Scituate to keep and bear arms.

BE IT FURTHER RESOLVED that the Scituate Town council affirms its support for the Scituate Police Department to exercise sound discretion when enforcing laws impacting the right of citizens under the Second Amendment; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to every Rhode Island Municipality, State Senators, State Representatives, the Governor and the Lt. Governor respectfully requesting their support.

This RESOLUTION shall take effect upon the date hereof.

By Order of the Scituate Town Council

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Charles Collins, Jr., President

IN WITNESS WHEREOF, I hereby attach my hand and the official seal  
of the Town of Scituate this 8th day of May, 2025.

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Margaret M. Long, Town Clerk