

TO AFFIRM THE RIGHTS OF ALL STATES INCLUDING SOUTH CAROLINA BASED ON THE PROVISIONS OF THE NINTH AND TENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION.

Whereas, the South Carolina General Assembly declares that the people of this State have the sole and exclusive right of governing themselves as a free, sovereign, and independent State, and shall exercise and enjoy every power, jurisdiction, and right pertaining thereto, which is not expressly delegated by them to the United States of America in the congress assembled; and

Whereas, some states when ratifying the Constitution for the United States of America recommended as a change, "that it be explicitly declared that all powers not expressly and particularly delegated by the aforesaid are reserved to the several states to be by them exercised"; and

Whereas, these recommended changes were incorporated as the Ninth Amendment, where the enumeration of certain rights shall not be construed to deny or disparage others retained by the people, and as the Tenth Amendment, where the powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people; and

Whereas, the several states of the United States of America, through the Constitution and the amendments thereto, constituted a general government for special purposes and delegated to that government certain definite powers, reserving each state to itself, the residuary right to their own self government. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the General Assembly of South Carolina, based on the above principles and provisions, hereby declares by this resolution, that any act by the Congress of the United States, Executive Order of the President of the United States, or Judicial Order by the federal courts which assumes a power not delegated to the government of the United States of America by the Constitution and which serves to diminish the liberty of any of the several states or their citizens shall abridge the Constitution. The General Assembly further declares that acts which would cause such an abridgment include, but are not limited to:

- (1) establishing martial law or a state of emergency within one of the states comprising the United States of America without the consent of the legislature of that state;
- (2) requiring involuntary servitude, or governmental service other than a draft during a declared war, or pursuant to, or as an alternative to, incarceration after due process of law;
- (3) requiring involuntary servitude or governmental service of persons under the age of eighteen other than pursuant to, or as an alternative to, incarceration after due process of law;
- (4) surrendering any power delegated or not delegated to any corporation or foreign government;
- (5) any act regarding religion, further limitations on freedom of political speech, or further limitations on freedom of the press; and
- (6) further infringements on the right to keep and bear arms including prohibitions of type or quantity of arms or ammunition.

Be it further resolved that a copy of this resolution be forwarded to the United States Senate, the United States House of Representatives, and each member of the South Carolina Congressional Delegation.