

Summary of Ordinance

This Ordinance creates Section 2-6, Lake County Code, establishing Lake County as a Bill of Rights Protection County.

Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code sections. The notation “* * *” shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or relettering that might be needed).

ORDINANCE NO. 2026-21

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; CREATING SECTION 2-6, LAKE COUNTY CODE, TO BE ENTITLED *BILL OF RIGHTS SANCTUARY COUNTY*; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, understanding the Bill of Rights is essential because it defines the core freedoms that belong to every American - protecting our speech, our property, our privacy, and our ability to live without undue government intrusion; and

WHEREAS, these rights are not abstract; they are practical safeguards that shape everyday life and preserve individual liberty; and

WHEREAS, an informed citizenry is the strongest defense of these freedoms, ensuring they are not eroded over time but upheld, exercised, and passed on to future generations; and

WHEREAS, from time to time, mandates are promulgated by the federal government in the form of executive orders which have the effect of circumventing the legislative process or administrative rules promulgated which exceed the parameters of the laws which enabled them; and

WHEREAS, Article 1, Section 1 of the Florida State Constitution recognizes that, “[a]ll political power is inherent in the people...”; and

WHEREAS, the Tenth Amendment to the Constitution of the United States of America states, “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 State of Florida is divided into 67 counties with 411 municipalities, and Article VIII, Section 1(f) of the Florida Constitution vests counties with, “such power of self-government as is provided by general or special law.”; and

WHEREAS, Chapter 125.01, Florida Statutes, specifically authorizes counties to “[a]dopt ordinances and resolutions necessary for the exercise of its powers...[and p]erform any other acts not inconsistent with law, which acts are in the common interest of the people of the county, and exercise all powers and privileges not specifically prohibited by law...”; and

1 **WHEREAS**, Chapter 125.01, Florida Statutes, further provides that, “[t]he provisions of this
2 section shall be liberally construed in order to effectively carry out the purpose of this section and to secure
3 for the counties the broad exercise of home rule powers authorized by the State Constitution.”; and

4 **WHEREAS**, through the enactment of this Ordinance, the Board of County Commissioners hereby
5 establishes Lake County as a Bill of Rights Protection County.

6
7 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake
8 County, Florida as follows:
9

10 **Section 1. Legal Findings of Fact.** The foregoing recitals are hereby adopted as legislative
11 findings of the Board of County Commissioners and are ratified and confirmed as being true and correct
12 and are hereby made a specific part of this Ordinance upon adoption hereof.
13

14 **Section 2. Creation.** Section 2-6, Lake County Code, to be entitled *Bill of Rights Sanctuary*
15 *County*, is hereby created to read as follows:
16

17 **Sec. 2-6. – Bill of Rights Sanctuary County.**
18

19 (a) Declaration. The Board of County Commissioners hereby declares Lake County, Florida,
20 a Bill of Rights “Protection County”.
21

22 (b) Findings. In order to secure the rights of the citizens of Lake County as enumerated, in
23 part, by the United States Constitution including, but not limited to, those rights secured
24 by the first ten (10) Amendments to the United States Constitution commonly referred to
25 as the *Bill of Rights*, and reads as follows:
26

27 **Amendment I**

28 Congress shall make no law respecting an establishment of religion, or prohibiting the free
29 exercise thereof; or abridging the freedom of speech, or of the press, or the right of the
30 people peaceably to assemble, and to petition the government for a redress of grievances.
31

32 **Amendment II**

33 A well regulated Militia, being necessary to the security of a free State, the right of the
34 people to keep and bear Arms, shall not be infringed.
35

36 **Amendment III**

37 No Soldier shall, in time of peace be quartered in any house, without the consent of the
38 Owner; nor in time of war, but in a manner to be prescribed by law.
39

40 **Amendment IV**

41 The right of the people to secure in their persons, houses, papers, and effects, against
42 unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but
43 upon probable cause, supported by oath or affirmation, and particularly describing the
44 place to be searched, and persons or things to be seized.
45

46 **Amendment V**

47 No person shall be held to answer for a capital, or infamous crime, unless on a presentment
48 or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in a
49 militia, when in actual service in time of War or public danger; nor shall any person be
50 subject for the same offence to be twice put in jeopardy of life or limb; nor shall be
51 compelled in any criminal case to be a witness against himself; nor be deprived of life,
52 liberty, or property, without due process of law; nor shall private property be taken for
public use without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, no cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

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.

(c) *Judicial Relief.* Lake County has the right to seek judicial relief from an Alleged Unlawful Act of federal government officials in response to alleged unconstitutional federal government measures, and to protect the rights of law-abiding citizens in its jurisdictional boundaries. The Lake County Board of County Commissioners may, upon their own motion, file a lawsuit in the appropriate court to challenge federal actions and seek a declaration that such actions are unconstitutional. The Board of County Commissioners additionally reserves the right to seek entry into legal action initiated by others, decline participation in an unconstitutional act, and coordinate with other counties as needed. Residents of Lake County may additionally petition the Board of County Commissioners to file a lawsuit seeking a judicial declaration. To present a petition to the Board of County Commissioners for consideration, the petition must include:

1. A copy of the federal act, law, order, rule, or regulation subject to challenge.
2. A detailed narrative as to the basis for the challenge and how the federal act, law, order, rule, or regulation violates or unreasonably restricts or impinges upon an individual's constitutional rights. Narratives that include generalized statements of constitutional violations are insufficient to support a petition.
3. Notarized, under oath, signature pages signed by at least fifty (50) residents of Lake County. Residents must provide a copy of their driver's license, passport, or state issued identification card with a verifiable address located within the geographic boundaries of Lake County, Florida.

Upon receipt of a petition satisfying the conditions set forth herein, the Board of County Commissioners shall consider at a duly advertised public hearing whether to file a lawsuit to challenge a specified federal act, law, order, rule, or regulation.

(d) Definition. An “Alleged Unlawful Act” shall consist of any federal act, law, order, rule, or regulation, which allegedly violates or unreasonably restricts or impinges upon an individual’s constitutional rights as an American citizen, including, but not limited to, those enumerated in Amendments 1 through 10 of the United States Constitution

(e) No Third-Party Beneficiaries. Nothing herein is intended to create a cause of action or private right on behalf of any person as against the Board of County Commissioners. Further, nothing herein shall require the Board of County Commissioners to pursue litigation or to otherwise challenge a federal act, law, order, rule, or regulation.

(f) Affirmation of Constitutional Rights. The Board of County Commissioners hereby affirms its commitment to upholding, protecting, and defending constitutional rights. No county resources will be knowingly used to enforce any law declared by a court of competent jurisdiction to be unconstitutional.

(g) Enforcement Affirmation. In accordance with Florida law, the Sheriff retains enforcement discretion. Nothing in this section shall require the Sheriff to otherwise enforce any unconstitutional law.

Section 3. Severability. If any section, sentence, clause, or phrase or word of this Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance; and it shall be construed to have been the Commissioners’ intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 4. Inclusion in the Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Filing with the Department of State. The Clerk shall be and is hereby directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

Section 6. Effective Date. This Ordinance shall become effective as provided for by law.

Enacted this _____ day of _____, 2026.

Filed with the Secretary of State _____, 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

Gary J. Cooney, Clerk
Board of County Commissioners
of Lake County, Florida

Leslie Campione, Chairman

This _____ day of _____, 2026.

Approved as to form and legality:

Melanie Marsh, County Attorney