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Restore Missouri Sovereignty With Nullification Bill SB 1225

Members of the Missouri General Assembly are seeking to enact one of the strongest and most comprehensive nullification bills in the country.

Senate Bill No. 1225 (SB 1225), titled the "Restoring State Sovereignty Through Nullification Act," is sponsored by Senator Mike Moon (R-Ash Grove). It declares:

> It is declared that federal laws, federal executive actions, and federal court opinions shall comply with the jurisdictional limitations of the United States Constitution. It is further declared that any federal action outside the enumerated powers set forth in the United States Constitution are in violation of the peace and safety of the people of this state, and therefore, said acts are declared void and must be resisted.
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> The proper manner of resistance is a state action of nullification of the federal action.

If enacted, SB 1225 would create formal processes for reviewing the constitutionality of federal actions and rejecting those found unconstitutional, expressly authorizing the General Assembly and state courts to nullify unconstitutional federal laws.

Under SB 1225, the scope of which federal actions to review is comprehensive. It defines "federal action" as including "federal law; a federal agency rule, policy, or standard; an executive order of the President of the United States; an order or decision of a federal court; and the making or enforcing of a treaty."

Additionally, the bill expressly state that "any federal action" can be nullified using the outlined processes.

When examining the constitutionality of federal actions, SB 1225 requires considering "the plain reading and reasoning of the text of the United States Constitution and the understood definitions at the time of the framing and construction of the United States Constitution by the framers."

If a federal action is found unconstitutional under SB 1225, that action would be prohibited from being enforced in Missouri by any state or local government agency, and no funds may be used to enforce it.

SB 1225 is firmly grounded in the text of the U.S. Constitution. In particular, Article VI states, "[t]his Constitution, and the Laws of the United States which shall be made in Pursuance thereof … shall be the supreme Law of the Land." Additionally, the 10th Amendment makes clear that all powers not granted by the Constitution to the federal government are reserved to the states and to the people.

Accordingly, any federal action that violates or contradicts the Constitution cannot be "made in Pursuance thereof" and, thus, is not "the supreme Law of the Land." Unfortunately, in the last several decades, thousands of unconstitutional laws on the federal, state, and even local levels have been created and enforced.

SB 1225 follows and enforces both of these important constitutional provisions (Article VI and the 10th Amendment) by nullifying unconstitutional federal actions and by restoring state sovereignty. Additionally, exercising these powers is more important now than ever, considering the extent to which the federal government has overreached. If our leaders adhered consistently to the Constitution, more than 80 percent of the federal government would be declared unconstitutional.

Urge your state representative and senator to support the Restoring State Sovereignty Through Nullification Act (SB 1225) and any other attempt to properly enforce the Constitution and nullify federal overreach.