

**RESOLUTION NO. 23-05-016**

**Sponsored by Commissioners Nick Bright, Steve Mikels, and Mike Akard**

**A RESOLUTION OF THE BLOUNT COUNTY COMMISSION REAFFIRMING PREVIOUSLY ADOPTED RESOLUTION NUMBER 19-04-012**

**BE IT RESOLVED**, by the Board of Commissioners of Blount County, Tennessee, assembled in regular session on this \_\_\_\_ day of \_\_\_\_\_ 20\_\_ that:

**WHEREAS**, in light of recent events and statements made by the Tennessee Governor and State representatives pertaining to firearms, it is the desire of the Blount County Commission to reaffirm their support of the Second Amendment to the United States Constitution and to protect law abiding citizens right to keep and bear arms; and

**WHEREAS**, on May 16, 2019, the Blount County Board of Commissioners adopted resolution number 19-04-012 to declare their support as a "Second Amendment Sanctuary County", meaning that Blount County, Tennessee, will provide safe haven and protect the United States Constitution and the Second Amendment Rights of law-abiding Blount County citizens; and

**WHEREAS**, in 2013 the Blount County Legislative Body adopted resolution number 13-05-008 that protects and defends the constitutional right to bear arms; and

**WHEREAS**, Section 26 of the Tennessee Constitution states, "That the citizens of this state have a right to keep and to bear arms for their common defenses; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime; and

**WHEREAS**, the Second Amendment to the United States Constitution, adopted in 1791 as part of the Bill of Rights, protects the inalienable and individual right of the people to keep and bear arm; and

**WHEREAS**, the United States Supreme Court in District of Columbia v. Heller, 554 U.S. 570 (2008), 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**, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), 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 against the states; and

**WHEREAS**, the United State Supreme Court in United States v. Miller, 307 U.S. 174 (1939) opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment; and

**WHEREAS**, "Red Flag" laws are a violation of the second and fourteenth amendments to the United States Constitution, as well as subject people to ex parte hearings; and

**WHEREAS**, the Blount County Board of Commissioners each swore an oath to support and protect the United States Constitution.

**NOW THEREFORE BE IT RESOLVED** that the Blount County Board of Commissioners does hereby reiterate their declaration that Blount County, Tennessee, shall remain a "Second Amendment Sanctuary County", meaning that Blount County, Tennessee, shall continue to provide safe haven and protect the United States Constitution and the Second Amendment Rights of law-abiding Blount County citizens.

**BE IT FURTHER RESOLVED THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER PASSAGE, THE PUBLIC WELFARE REQUIRING IT.**

**CERTIFICATION OF ACTION**

**ATTEST**

\_\_\_\_\_  
Commission Chairman

\_\_\_\_\_  
County Clerk

Approved: \_\_\_\_\_

Vetoed: \_\_\_\_\_  
County Mayor

\_\_\_\_\_  
Date