

E. UNFINISHED BUSINESS.

1. Resolution No. 19-04-012, A Resolution of the Blount County Commission Declaring Support of the Second Amendment to the United States Constitution.

Attachments: Resolution 19-04-012 2nd Amendment Sanctuary County
Resolution 13-05-008
Oath of County Commissioners

A motion was made by Commissioner Bright, seconded by Commissioner Akard, that the Resolution be adopted.

A motion was made by Commissioner Bright, seconded by Commissioner Akard, that the Resolution be amended. An electronic vote was taken. The Chairman declared the motion to have passed by the following vote:

Yes: 16 - Akard, Anderson, Bennett, Bowers, Bright, Carver, Caylor, Crowe, Hammontree, Hood, Jopling, King, Lawhorn, Mikels, Reagan, and Robbins

No: 3 - French, Hill, and Webb

Absent: 1 - McCulley

Abstain: 1 - Stinnett

A call for question was made by Commissioner Mikels, seconded by Commissioner Caylor. An electronic vote was taken. The Chairman declared the motion to have passed by the following vote:

Yes: 16 - Akard, Bennett, Bowers, Bright, Caylor, Hammontree, Hill, Hood, Jopling, King, Lawhorn, Mikels, Reagan, Robbins, Stinnett, and Webb

No: 4 - Anderson, Carver, Crowe, and French

Absent: 1 - McCulley

Abstain: 0

A motion was made by Commissioner Bright, seconded by Commissioner Akard, that the Resolution be adopted as amended. An electronic vote was taken. The Chairman declared the motion to have passed by the following vote:

Yes: 15 - Akard, Anderson, Bennett, Bowers, Bright, Caylor, Crowe, Hammontree, Hood, Jopling, King, Lawhorn, Mikels, Reagan, and Robbins

No: 4 - Carver, French, Hill, and Webb

Absent: 1 - McCulley

Abstain: 1 - Stinnett

RESOLUTION NO. 19-04-012

Sponsored by Commissioners Steve Mikels, Nick Bright, Mike Akard, Jared Anderson, Robbie Bennett, Brad Bowers, Mike Caylor, Dodd Crowe, Jim Hammontree, Tom Hood, Jeff Jopling, Scott King, Staci Lawhorn, Joe McCulley, Dawn Reagan, and Brian Robbins

A RESOLUTION OF THE BLOUNT COUNTY COMMISSION DECLARING SUPPORT OF THE SECOND AMENDMENT TO THE UNITED STATES CONSTITUTION

WHEREAS, the 111th General Assembly in its 2019 session considered and referred to committees for further study, SB0943/HB1049, that authorizes the issuance of extreme risk protection order, "Also known as a red flag law" that a law enforcement officer may seek to prevent a restrained person from being able to lawfully possess a firearm when the officer believes that the person is a danger to the person or another.

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, it is the desire of the Blount County Commission to declare its support of the Second Amendment to the United States Constitution and to protect law abiding citizens right to keep and bear arms; and

WHEREAS, the Blount County Board of Commissioners each took an oath to support and protect the United States Constitution; and

NOW THEREFORE BE IT RESOLVED that the Blount County Board of Commissioners hereby has, declared Blount County to be a "Second Amendment Sanctuary County", meaning that Blount County will provide safe haven and protect the United States Constitution and the 2nd 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

May 21, 2019
Date