



Written by [Joe Wolverton, II, J.D.](#) on August 25, 2023

Tenn. Governor Pushes for Stricter Gun Control, Greater Federal Oversight

Although scheduled to wrap up yesterday (August 24), the Tennessee state Legislature's "special session" for dealing with gun violence and public safety has been prolonged and will continue debate on these issues Monday, August 28.

Tennessee's Governor Bill Lee, a Republican, called for the special session of the Legislature after six people were murdered at Covenant School in Nashville on March 27. [Article III, Section 9](#) of the state constitution empowers the governor to call the General Assembly into special session, with the subjects to be considered limited to matters specified in his proclamation.



AP Images
Bill Lee

"When there is a clear need for action, I think that we have an obligation to remind people that we should set aside politics and pride and accomplish something that the people of Tennessee want to get accomplished," Lee told reporters after announcing the special session to consider proposals imposing stricter gun laws.

After legislators in both houses of the state assembly resisted proposals by Lee to tighten gun control regulations in the state, including the enacting of so-called red flag laws, and agreed to adjourn until Monday, Lee issued the following statement:

This has been an important week for Tennessee. While the legislative process continues, I'm confident that both chambers can work together and make meaningful progress in this special session on public safety. Additionally, I want to thank the Covenant families for engaging and sharing their story, which brings hope in the midst of great tragedy. As our efforts continue, I am hopeful and remain committed to making Tennessee a safer place.

These are Lee's first comments since the special session began at 4:00 p.m. on August 21.

The governor has not explained how leaving a people without weapons, in a society growing increasingly violent, would make them "safer."

The executive's silence has likely been the result of the absolute rejection by lawmakers of most of his slate of suggested new statutes. So far, the state Senate has reject three of Lee's seven measures.

Of the proposals put forward by the governor, the one calling for enacting red flag laws in a state known for its constitutionally sound lack of gun regulation is attracting the most attention from citizens of the Volunteer State.

Red flag laws, also known as extreme risk protection orders (ERPOs), are state-level laws that allow



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law-enforcement officials, family members, or other concerned parties to petition a court to temporarily remove firearms from individuals who are deemed to be a danger to themselves or others.

A grassroots organization called [Tennessee Stands](#) is actively working to convince lawmakers to adjourn the special session, supporting companion bills to that end in the state House and Senate. Both motions failed, however, and Tennessee Stands accuses state Speaker of the House Cameron Sexton of intimidating and threatening members who would vote in favor of calling an early end to the session.

Regardless of legislators' reticence to adjourn early, there has been little actually accomplished, which is a good thing for the state, the Constitution, and the right of the people of Tennessee to keep and bear arms.

Attached to Governor Lee's quest to effectively repeal the Second Amendment within the borders of the Tennessee is a proposal to grant to the federal government control over a range of mental health programs that are currently managed by the state. Specifically, Lee's legislation "Directs TennCare to seek a waiver from the federal government to allow federal matching funds for Medicaid to cover services for mental illness and substance use disorders at institutions of mental diseases."

This "waiver" would qualify Tennessee to receive federal funding for these services, and that carrot is tied to the stick of placing these programs, services, and treatments under federal scrutiny and regulation, and is perhaps the worst aspect of Governor Lee's desire to convert the formerly sovereign republic of Tennessee into an administrative client state of the federal empire.

The money that Lee would see deposited into the state's coffers would come from the CURES Act, enacted in 2016 during the concluding stages of the Obama administration. This significant legislation allocated billions of dollars taken from taxpayers to the National Institutes of Health (NIH) under the leadership of Dr. Anthony Fauci. Moreover, it lightened to the point of eliminating the regulatory load on both the Food and Drug Administration (FDA) and the advancement of pharmaceuticals for emerging illnesses. Additionally, notable (now known to be nefarious) revisions were made to the FDA's protocols for granting emergency use authorization, reflecting the act's far-reaching impact.

These are the people to whom the Republican governor of Tennessee wants to hand over control of the state's mental health programs and services.

Finally, whether or not Governor Bill Lee's special session of the state Legislature accomplishes his goal of giving D.C. greater control over Tennessee and taking from Tennesseans the right of self-defense, a right given to all men by God, there will be repercussions come election time.

Although Lee will not be eligible for reelection (the state constitution limits governors to two terms), all other state legislators who vote in favor of imposing stricter gun control regulations will have to defend that decision. It is inarguable that a vote to infringe on the right of the people to keep and bear arms is a violation of the Second Amendment, and therefore a violation of the Constitution's Article VI mandate that "Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution."

Additionally, Article I, Section 2 of the Tennessee State Constitution practically requires the people to resist any and all tyrannical acts on the part of any government official. The provision reads:

That government being instituted for the common benefit, the doctrine of nonresistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and



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happiness of mankind.

As the famed Roman orator Cicero wrote: “He who does not resist mischief when he may, is guilty of the same crime, as if he had deserted his parents, his friends, and his country.”

Tennesseans yet have time to communicate with their state political servants, to encourage them to remain faithful to their Article VI oath to support the federal Constitution and to remind them that they — the men and women of Tennessee — will remain faithful to their duty to uphold Article 1, Section 2 of the state Constitution to resist tyranny.



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