

**Tennessee Firearms Association
2016 State Legislative Candidate Survey**

This survey is being sent to all candidates for Tennessee State House and State Senate. This survey is to be completed by the candidate personally. Any candidate who does not return a survey, or returns an incomplete survey, will be assumed to have answered in the negative on any questions where there was not an affirmative response. **The deadline to return the survey to the TFA is May 20, 2016.** Surveys may be returned via e-mail: survey2016@tennesseefirearms.com or via direct mail postmarked by the deadline to: TFA, P.O. Box 198722 Nashville, TN 37219

SURVEY QUESTIONS FOR CANDIDATES

1) The majority of states allow citizens to carry firearms openly without any permit or license. Approximately 11 states, including West Virginia, Idaho and Mississippi in 2016, do not impose permits, licenses or fees for their citizens to carry firearms either openly or concealed. "Constitutional Carry" legislation would eliminate all existing requirements to obtain a permit, pay fees, obtaining state mandated training and register guns or gun owners. Constitutional carry laws allow citizens who can legally possess a firearm to carry a firearm openly or concealed for any reason except for the commission of a crime. An *optional* permit, without any training and a low fee, would facilitate reciprocity for Tennesseans in other states.

Will you support legislation to enact "Constitutional Carry" to allow individuals to carry a legally possessed firearm openly or concealed without a government issued permit?

YES _____ NO _____ I will sponsor this legislation _____

2) In 2016, SB2273 and HB2146 were filed to reverse an existing statutory presumption that it is illegal for citizens to carry a legally possessed firearm. If that exact bill is refiled will you vote to enact it in substantially its existing format?

YES _____ NO _____ I will sponsor this legislation _____

3) In 2016, SB1483 and HB1748 were filed to allow citizens to carry a legally possessed firearm, openly or concealed, without the requirement of a permit, training, state fees, or background checks. If that exact bill is refiled will you vote to enact it in substantially its existing format?

YES _____ NO _____ I will sponsor this legislation _____

4) The Tennessee State Constitution provides in Article I, Section 26 says that *“the citizens of this State have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime.”* The Tennessee Supreme Court has stated that an law must *“... be guided by, and restrained to this end, and bear some well defined relation to the prevention of crime, or else it is unauthorized by this clause of the Constitution.”*

Will you support legislation to repeal any law that has the effect of restricting the ownership, carrying or wearing of firearms by citizens who can legally possess firearms?

YES _____ NO _____ I will sponsor this legislation _____

5) Tennessee enacted one of the nation’s first “Firearms Freedom Acts” in 2009. The Tennessee FFA says that any firearm manufactured in Tennessee, from parts in Tennessee, and that stays within the boundaries of Tennessee is not subject to any federal regulation and that the regulation of such matters are solely reserved to the State under the 10th Amendment.

Will you support legislation to nullify federal firearms laws and which also requires the state government to protect the residents of Tennessee from the enforcement of federal firearms laws which violate the 2nd Amendment and/or the 10th Amendment?

YES _____ NO _____ I will sponsor this legislation _____

6) Will you support legislation to allow citizens, including educators and students, to carry lawfully possessed firearms on college campuses in Tennessee?

YES _____ NO _____ I will sponsor this legislation _____

7) Will you support legislation to allow law abiding citizens, including educators, to carry firearms on K-12 school grounds?

YES _____ NO _____ I will sponsor this legislation _____

8) The Tennessee Secretary of State is attempting to regulate “political free speech” by misclassifying issue advocacy groups (which are registered with the IRS as 501(c)(4) entities) as “charities”, and then attempting to subject those advocacy groups to extensive regulation by the Secretary of State regarding donors and how the groups expend their funds.

Will you support legislation that exempts issue advocacy groups which are registered with the

IRS as Section 501(c)(4) entities from being misclassified by the Secretary of State as charities?

YES_____ NO_____ I will sponsor this legislation_____

9) Federal law requires that any gun ranges that are built or maintained by tax dollars must be made available to the public when not in use by the government.

Will you support legislation requiring that any firing range that was built or maintained with state or local tax dollars must be made available to the public when the range is not actively in use by the government?

YES_____ NO_____ I will sponsor this legislation_____

10) Will you support legislation that would fully restore the right to keep and bear arms to individuals who have been convicted of misdemeanors or non-violent felonies once their sentence has been fully completed?

YES_____ NO_____ I will sponsor this legislation_____

11) Will you support legislation eliminating fees or taxes imposed on the ownership, purchase, transfer, carry or use of firearms and/or ammunition?

YES_____ NO_____ I will sponsor this legislation_____

12) Will you support legislation establishing that a person has an absolute right to store any legally possessed items, including a firearm, in any legally possessed motor vehicle and providing that such individual cannot be criminally prosecuted or fired for doing so?

YES_____ NO_____ I will sponsor this legislation_____

If YES, will you support a provision in such a law that gives the individual the right to recover civil damages and/or injunctive relief, including attorney's fees, against any individual or entity that violates that right?

YES_____ NO_____ I will sponsor this legislation_____

13) Will you support legislation to render any federal taxes or restrictions on the purchase or ownership of firearms suppressors void in Tennessee?

YES _____ NO _____

I will sponsor this legislation _____

14) Will you support legislation to prohibit a local government from regulating any aspect of civilian firearms ownership, purchase, carry, use or possession, on publicly owned properties?

YES _____ NO _____

I will sponsor this legislation _____

If YES, will you support a provision in such legislation that gives the individual the right to seek civil damages and/or injunctive relief, including attorney's fees, against a local government that violates that right?

YES _____ NO _____

I will sponsor this legislation _____

15) Will you support legislation to prohibit the administrative branch of state government from regulating any aspect of civilian firearms ownership, purchase, carry, use or possession, including the legal possession of firearms in public buildings or on public property?

YES _____ NO _____

I will sponsor this legislation _____

16) Current state law (TCA 39-11-1309) prohibits possession of firearms on school grounds. That statute defines school grounds to include any land that is "used" by a school and could even apply to an individual's home or farm land when being "used" by a school for a party, event or class.

Will you support legislation to limit the term "school grounds" to a specific and clearly defined school campus?

YES _____ NO _____

I will sponsor this legislation _____

17) Current state law puts at risk collectors of military items, including historical vehicles and armaments, to the extent that such items might be classified as military, explosive weapons, or machineguns.

Will you support legislation that allows civilians to own, possess, use and transport historical

military items, including vehicles, armaments and ammunition?

YES _____ NO _____ I will sponsor this legislation _____

18) Current state law (TCA 39-17-1359) allows businesses and property owners to ban possession of firearms on their property and makes such declarations enforceable as criminal acts.

Will you support legislation removing the criminal penalty if a private property owner decides to post their property as a "gun free" zone?

YES _____ NO _____ I will sponsor this legislation _____

19) Will you support legislation requiring a commercial private property owner who elects to prohibit citizens who enter their property from carrying firearms to provide adequate security to guarantee the safety of those individuals and to make them liable for any harm or damage occurring while disarmed?

YES _____ NO _____ I will sponsor this legislation _____

20) Will you support legislation that requires that the US Constitution, the Bill of Rights and the State Constitution to be taught in schools?

YES _____ NO _____ I will sponsor this legislation _____

21) Will you support legislation that requires that firearms use and marksmanship be taught in schools?

YES _____ NO _____ I will sponsor this legislation _____

22) Current legislative rules require that proposed legislation pass through a committee system. In that committee system, legislation can be defeated by committee votes which are less, and sometimes materially less, than the number of sponsors on the legislation. The effect of this current system is that many of the voters of this state are effectively disenfranchised because their elected representatives are never asked to consider, debate, or vote publicly on the bill.

Will you support legislation that provides that no committee of the General Assembly can stop a

bill from progressing to the floor for consideration if the number of votes to kill the legislation in a committee is less than the number of sponsors on the bill?

YES _____ NO _____ I will sponsor this legislation _____

23) Current legislative rules require that proposed legislation pass through a committee system. Passage of laws requires a simple majority in each House. In some instances, bills have more sponsors than would be required to pass the legislation.

Will you support legislation that provides that any legislation which has more sponsors than would be required to pass the legislation on a floor vote must be presented and considered on the floor of both Houses regardless of action taken by a committee on the bill?

YES _____ NO _____ I will sponsor this legislation _____

24) Will you support legislation that provides a process for recall elections for all elected officials?

YES _____ NO _____ I will sponsor this legislation _____

25) Will you support legislation that provides for an elected state Attorney General?

YES _____ NO _____ I will sponsor this legislation _____

26) Current state law leaves the discretion on whether to challenge federal enactments as unconstitutional in the hands of the state Attorney General. There is no mechanism under current law for citizens to remove the Attorney General.

Will you support legislation that establishes a "recall" process whereby the citizens can remove the Attorney General?

YES _____ NO _____ I will sponsor this legislation _____

27) Current state law leaves the discretion on whether to challenge federal enactments as unconstitutional in the hands of the state Attorney General. There is no mechanism under current law for the General Assembly to direct the Attorney General to challenge a federal law that the General

Assembly concludes by law or resolution violates the state's sovereignty or the rights of the citizens.

Will you support legislation that establishes a process that vests the General Assembly with the authority to appoint and fund special counsel to challenge such federal laws or enactments?

YES _____ NO _____ I will sponsor this legislation _____

28) Article 1 Section 24 of the Tennessee Constitution says "*That the sure and certain defense of a free people, is a well regulated militia; and, as standing armies in time of peace are dangerous to freedom, they ought to be avoided as far as the circumstances and safety of the community will admit; and that in all cases the military shall be kept in strict subordination to the civil authority.*"

Will you support legislation that would require the state to issue to individuals who are or who agree to be subject to a "militia call" military grade weapons, including machineguns, if the cost of such equipment and the actual administrative costs to the state government are paid by the individual?

YES _____ NO _____ I will sponsor this legislation _____

29) Under Tennessee law, the speakers of the House and the Senate are selected by the members of those respective bodies and not by popular election. Those offices hold substantial power over the legislative committee system, the appointment of committee chairs, and the function of those bodies.

Will you support legislation that would allow the citizens to remove any individual from the office of speaker of the respective legislative bodies by state wide referendum?

YES _____ NO _____ I will sponsor this legislation _____

CANDIDATE CERTIFICATION

I hereby certify that the foregoing statements are true and correct. I certify under penalty of perjury that I have individually responded to each such question and am solely responsible for my survey response.

Candidate signature _____

Date _____

Candidate Name (print) _____

Office sought (district) _____

Tennessee Firearms Association 2016 Legislative Leadership Pledge

To the Tennessee Firearms Association and its members:

I am a candidate for the Tennessee General Assembly. I pledge to you that I will uphold both the Tennessee Constitution and United States.

I make this solemn pledge to you:

- I will do everything in my power as a legislator to obtain a recorded floor vote on pure Constitutional Carry as well as the elimination of gun free zones in Tennessee. This includes supporting recall motions to bring bills on these topics directly to the floor of the respective Houses in 2017.
- I will introduce or co-sponsor and diligently work toward the passage of at least one piece of pro-gun legislation that is prioritized by the TFA as "key" legislation each year.
- I will cosponsor and support pro-gun, pro-freedom legislation that is introduced by my fellow legislators.
- I will work to reform the committee system so that bills that have more sponsors than "no votes" in a committee will continue to move forward toward the floor of each House.
- I will work to make caucus meetings open to the public.
- I pledge that I will ONLY endorse and support individuals for party leadership who have a solid pro-gun voting record and whose priorities as leaders are based first on the State and federal constitutions.

Candidate signature _____

Date _____

Candidate Name (print) _____

Office sought (district) _____

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