



## **RESOLUTION CALLING FOR THE REPEAL OF TENNESSEE CODE §39-17-1307(a)(1) TO RESTORE TRUE CONSTITUTIONAL CARRY**

**WHEREAS**, Tennessee enacted “constitutional carry” legislation effective July 1, 2021 with the intent of reaffirming the right of law-abiding citizens to carry a handgun without government permission or a permit, removing burdens and encumbrances on the God-given and constitutional right to keep and bear arms; and

**WHEREAS**, despite this intent, Tennessee Code Annotated §39-17-1307(a)(1) still makes it a crime for anyone to carry a firearm “with the intent to go armed,” placing citizens in legal jeopardy for exercising a constitutional right, and giving law enforcement probable cause to stop, detain, and arrest individuals who are peaceably carrying; and

**WHEREAS**, such statutory remnants mirror the discriminatory roots of past “carry” and “permit” laws, many of which originated during the Jim Crow era to prevent freedmen and other minorities from exercising their right to self-defense, a historical pattern of using vague “intent” statutes to disarm certain classes of people; and

**WHEREAS**, the United States Supreme Court has repeatedly affirmed the individual right to keep and bear arms – first in *District of Columbia v. Heller* (2008), which held that citizens have the right to possess firearms for lawful purposes such as self-defense in the home; then in *McDonald v. Chicago* (2010), which applied that right to the states through the Fourteenth Amendment; and most recently in *New York State Rifle & Pistol Association v. Bruen* (2022), which confirmed that the right extends beyond the home and that government may not impose new restrictions that conflict with America’s long-recognized understanding of this freedom;

**WHEREAS**, the freedom to keep and bear arms is essential to the soul and culture of a free people, citizens who take responsibility to protect themselves, their families, and their neighbors. The strong spirit of “the land of the free and the home of the brave” is sustained by such citizens, and the people of Tennessee, especially those of Hamilton County, embody this enduring American virtue; and



**NOW, THEREFORE, BE IT RESOLVED**, that the Hamilton County Republican Party:

1. Supports the right of Tennesseans to carry firearms free from unnecessary legal risk, consistent with the original intent of “constitutional carry”;
2. Urges the Tennessee General Assembly to repeal §39-17-1307(a)(1) and to ensure that no law criminalizes the lawful carrying of a handgun by a citizen not otherwise prohibited from owning one; and
3. Affirms that true constitutional carry reflects both the letter and the spirit of the Second Amendment, that no law-abiding citizen should be treated as a criminal for exercising a fundamental right.

Adopted this 17th day of November, 2025 by the **Hamilton County Republican Party**