

Tennessee Firearms Association

2018 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 a written affirmative response. **The deadline to return the survey to the TFA is May 18, 2018.** Surveys may be returned via e-mail: survey2018@tennesseefirearms.com or via direct mail postmarked by the deadline to: TFA, P.O. Box 198722 Nashville, TN 37219

SURVEY QUESTIONS FOR CANDIDATES

1) Approximately 30 states (including every state touching Tennessee except Georgia) allow citizens to carry firearms openly without any state required training, fee, permit or license. Approximately 13 states do not impose state training, fees, permits, or licenses for their citizens to carry firearms either openly or concealed.

Will you vote for and support legislation in Tennessee to allow individuals to carry a legally possessed firearm openly or concealed without a government required training course, background check, fee or permit?

YES _____ NO _____ I will sponsor this legislation _____

2) Tennessee has a presumption in TCA Section 39-17-1307(a) that it is a crime for a citizen to carry a legally possessed firearm "with the intent to go armed."

Will you vote for and support legislation in Tennessee which removes this presumption and only makes it a crime to use a weapon in the commission of a violent crime?

YES _____ NO _____ I will sponsor this legislation _____

3) Tennessee local governments can ban firearms possession in locally owned or managed parks, greenways, campgrounds, outdoor facilities, nature areas and recreational facilities.

Will you vote for and support legislation to eliminate all local regulation of firearms possession on public property so that any such restrictions are imposed uniformly and solely by the Legislature?

YES _____ NO _____ I will sponsor this legislation _____

4) Tennessee enacted one of the nation's first "Firearms Freedom Acts" in 2009. That law says that any firearm or accessory 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 vote for and support legislation to prohibit state or local funds from being used to enforce any federal firearms law or regulation and to require the Attorney General 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_____

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

YES_____ NO_____ I will sponsor this legislation_____

6) Will you vote for and support legislation to allow law abiding citizens, including educators, to carry lawfully possessed firearms on K-12 school grounds?

YES_____ NO_____ I will sponsor this legislation_____

7) The Tennessee Secretary of State has since 2014 regulated "political free speech" by misclassifying issue advocacy groups (such as IRS § 501(c)(4) entities) as "charities", and then attempting to subject those advocacy groups to extensive regulation by the Secretary of State.

Will you vote for and support legislation that exempts issue advocacy groups which are registered with the IRS as Section 501(c)(4) entities from being classified by the Secretary of State as charities?

YES_____ NO_____ I will sponsor this legislation_____

8) 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 vote for and 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 _____

9) Will you vote for and 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 _____

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

YES _____ NO _____ I will sponsor this legislation _____

11) Will you vote for and support legislation to prohibit a local government from regulating any aspect of civilian firearms ownership, purchase, carry, use or possession, on publicly owned properties that are made available for the use or rental of non-government entities (such as meeting centers and fairgrounds)?

YES _____ NO _____ I will sponsor this legislation _____

If YES, will you vote for and 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 _____

12) Will you vote for and 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 _____

13) 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. This law has been used by local governments to close access to public parks and related spaces.

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

YES_____ NO_____ I will sponsor this legislation_____

14) 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 vote for and 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_____

15) 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 vote for and 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_____

16) Will you vote for and 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_____

17) Will you vote for and 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 _____

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

YES _____ NO _____

I will sponsor this legislation _____

18) 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 vote for and support legislation or a rule change 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 _____

19) 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 vote for and 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 _____

20) Will you vote for and support legislation that provides for an elected state Attorney General?

YES _____ NO _____

I will sponsor this legislation _____

21) 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 vote for and support legislation that establishes a "recall" process whereby the citizens can remove the Attorney General?

YES _____ NO _____ I will sponsor this legislation _____

22) 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 vote for and 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 _____

23) 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 vote for and 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 _____

24) 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 vote for and 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 _____

25) Currently in Tennessee there are non-profit or for profit entities which are materially supported by state or federal funds including funds raised by tax dollars which entities lobby the Legislature and/or the administration.

Will you vote for and support legislation that would prohibit any entity that is materially funded directly or indirectly from taxpayers funds (such as member dues paid by government officials that are funded through a governmental entity's budget) from engaging in lobbying activities?

YES _____ NO _____ I will sponsor this legislation _____

26) Will you vote for and support legislation that requires that any proposed legislation relative to the 2nd or 10th Amendment shall be presented for debate and consideration on the floor of each House and that the various committees may only propose amendments to the original legislation?

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 that I am solely responsible for my survey response.

Candidate signature _____ Date _____

Candidate Name (print) _____

Office sought (district) _____

Party Affiliation (if any) _____

Are you a current member of the Tennessee Firearms Association? _____

Tennessee Firearms Association 2018 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 recorded committee and floor votes on all bills related to permitless open carry, permitless concealed carry and 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.

- 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) _____

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