

SENATE BILL 1790

By Beavers

AN ACT to amend Tennessee Code Annotated, Title 4,  
Chapter 1, relative to the sovereignty of the state  
of Tennessee.

WHEREAS, the State of Tennessee is a sovereign entity as are the other States which have joined to form the United States of America; and

WHEREAS, as stated in the Preamble, the Constitution of the United States was formed by the People of this nation acting through the States; and

WHEREAS, in Article I, Section 1, the United States Constitution granted Congress only those "...legislative powers herein granted shall be vested in a Congress of the United States" which makes clear that the States granted to Congress only those specific powers enumerated in Section 8 and elsewhere in the United States Constitution; and

WHEREAS, the States by clarification in the 9<sup>th</sup> and 10<sup>th</sup> Amendments, as more commonly referenced as provisions of the Bill of Rights, have expressly limited the delegation of powers by them to Congress and the reservation to the States of all other authority not expressly delegated by them to Congress; and

WHEREAS, it has become clear to the People of the State of Tennessee that Congress, the Executive Branch, and the United States Supreme Court have increasingly acted in blatant disregard of the limited powers granted by the States to the Congress and the other branches of the Federal Government and have engaged in numerous ultra vires activities; and

WHEREAS, Congress and the Executive Branch have attempted repeatedly to seduce the States to accept and tolerate these ultra vires enactments by the intentional misappropriation of tax dollars as grants and payments to the States to cooperate with and bear

the burden of enforcing such federal actions, whether within the scope of the delegated powers of Congress or not; and

WHEREAS, the State seeks to reestablish and reclaim its sovereignty; now, therefore,  
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "State Sovereignty Reclamation Act of 2016".

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) This state and all political subdivisions of this state are prohibited from using any personnel or financial resources to enforce, administer, or cooperate with the implementation, regulation, or enforcement of any federal executive order, unless such has been first expressly implemented by the general assembly by law as the public policy of the state.

(b) This state and all political subdivisions of this state are prohibited from using any personnel or financial resources to enforce, administer, or cooperate with the implementation, regulation, or enforcement of any opinion of the United States supreme court unless such has been first expressly implemented by the general assembly by law as the public policy of the state.

(c) The general assembly shall have the authority to engage special counsel and to appropriate such funds as may be necessary in its discretion to enforce this section including the bringing of an action under title 29, chapter 35, or title 8, chapter 47, to have such public office holders ejected from office, to obtain any declaratory or injunctive relief reasonably necessary to enforce this section, or both.

(d) Nothing in this section shall prohibit the federal government from independently funding and enforcing solely through the executive branch of the federal government those laws and regulations which have been enacted pursuant to the limited delegation of authority contained in the Constitution of the United States to the federal government; provided, however, that no political subdivision nor the executive branch

nor the judicial branch of this state shall take any action to implement or enforce any federal action to the extent that such enforcement or implementation has not been expressly authorized by the general assembly as the express public policy of this state.

SECTION 3. This act shall take effect July 1, 2016, the public welfare requiring it.