

**A RESOLUTION OPPOSING SENATE BILL 765/HOUSE BILL 786 OF THE 112<sup>TH</sup>  
SESSION OF THE GENERAL ASSEMBLY**

**WHEREAS**, the Memphis City Council joins all Americans in mourning the loss of eighteen innocent lives as a result of heinous mass shootings in Atlanta, Georgia and in Boulder, Colorado over the past two weeks; and

**WHEREAS**, as the country mourns the loss of American lives ended by gun violence, the Tennessee Senate passed on March 18, 2021 Senate Bill 765 (“SB 765”) that would allow for the permitless carry of concealed or open firearms to Tennessee residents above the age of 21, and military members from 18 to 20 years old; and

**WHEREAS**, corresponding House Bill 786 (“HB 786”) received a favorable recommendation from the Finance, Ways, and Means Committee on March 23, 2021 and will likely be moved to the full House floor next week; and

**WHEREAS**, as currently written, SB 765/HB 786, would create three exceptions to the criminal offense of unlawful carrying of a firearm; (1) the person meets the qualifications for the issuance of an enhanced handgun carry permit; (2) the person lawfully possesses the handgun; and (3) the person is in a place where the person has a right to be; and

**WHEREAS**, omitting the permitting process to carry a handgun will allow individuals to carry open or concealed firearms without passing a full or criminal history background check, completion of a handgun safety course, or demonstrate competency with a handgun; and

**WHEREAS**, as handgun permit laws are currently written in Tennessee, the onus is on citizens to provide evidence of their right to carry a handgun in public; SB 765/HB 786 would transfer this burden to law enforcement officers who would be forced to conduct their own background checks in the line of duty to determine if an individual is legally eligible to own a firearm, creating elevated and unnecessary safety risks for law enforcement; and

**WHEREAS**, SB 765/HB 786 has received forceful opposition from various law enforcement associations across the State of Tennessee; the Tennessee State Sheriff’s Association stated, “We are united with the Tennessee Association of Chiefs of Police, and the Tennessee Bureau of Investigation on the bills” and that “...we strongly believe that completely eliminating the permit requirement will negatively impact the safety of Tennesseans and our law enforcement officers”; and

**WHEREAS**, according to the 2020 annual report from the Tennessee Department of Safety and Homeland Security titled “Handgun Carry Permit Statistics”, a required report under current Tennessee law that would disappear if SB 765/HB 786 is passed, 5,704 handgun carry permits were revoked, suspended, or denied in 2020, signaling the permitting system is effective in monitoring individuals who should not have the right to carry a firearm in public spaces; and

**WHEREAS**, in a study from the Journal of Empirical Legal Studies, right-to-carry handgun laws trigger a 13 percent to 15 percent increase in violent crime, a decade after state adoption of such laws; in Pennsylvania violent crime increased 24 percent in 10 years and nearly 17 percent in Texas, with percentages increasing each year as more citizens gain access to firearms; and

**WHEREAS**, states with permitless carry laws not only see an increase in violent crime, but also a rise in accidental gun deaths due to lack of safety and storage training, which increases children's access to guns, gun related suicides, and everyday disputes that turn into shootings such as road rage and workplace disputes, bar fights, and routine encounters with law enforcement; and

**WHEREAS**, the City of Memphis, as a major urban center in Tennessee, will be more greatly impacted by SB 765/HB 786, as research from the Journal of Urban Health has found that firearm permit laws are associated with a 14 percent reduction in firearm homicides in large, urban counties; and

**WHEREAS**, as of March 2, 2021, the City of Memphis has had 55 homicides, this time last year there had been only 29 murders, demonstrating the rate of homicides in Memphis is continuing at an accelerated pace and on track to surpass last year's record-breaking 332 killings; and

**WHEREAS**, the Memphis City Council recognizes the United States Constitution does afford citizens the right to individual possession of firearms, as given in the Second Amendment, however handgun carry permit laws do not infringe on Second Amendment rights, as upheld by the Supreme Court of the United States in *District of Columbia v. Heller*; and

**WHEREAS**, the Memphis City Council stands in solidarity with Memphis Police Director, Michael Rallings, and Memphians who believe Senate Bill 765/House Bill 786 does not represent the best interests of Memphis residents or the law enforcement personnel who have vowed to protect and serve.

**THEREFORE, BE IT RESOLVED** that the Memphis City Council does hereby adamantly oppose State Senate Bill 765/House Bill 786 of the 112<sup>th</sup> Session of the General Assembly, being that the health, welfare and public safety of the City of Memphis requires it.

Sponsored by:  
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