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Restore Tennessee Sovereignty With Nullification Bills HB 2610 and SB 2657

Members of the Tennessee General Assembly are seeking to enact one of the strongest and most comprehensive nullification bills in the country.

House Bill 2610 (HB 2610) and Senate Bill 2657 (SB 2657), titled the "Restoring State Sovereignty Through Nullification Act," are respectively sponsored by Representative Bud Hulsey (R-Kingsport) and Senator Janice Bowling (R-Tullahoma). They are follow-up bills to House Bill 441 (HB 441) and Senate Bill 479 (SB 479), introduced in 2025.

The bills' preface clearly and correctly explains the proper constitutional separation of powers (both horizontally and vertically), condemns the baseless elevation of court rulings, regulations, and executive orders to the level of "laws," and it expounds on the principle of nullification and the duty of "every constitutional officeholder, whether local, state, or federal," to adhere to the Constitution.

HB 2610 and SB 2657 then declare:

> SECTION 6. It is declared that federal laws, federal executive actions, and federal court opinions must comply with the jurisdictional limitations of the United States Constitution. It is further declared that any federal action outside the enumerated powers set forth in the United States Constitution are in violation of the peace and safety of the people of this state, and therefore, said acts are declared void and must be resisted.
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> SECTION 7. One (1) proper manner of resistance is a state action of nullification of the federal action.

If enacted, HB 2610 and SB 2657 would create formal processes for reviewing the constitutionality of federal actions and rejecting those found unconstitutional. In addition to expressly authorizing the governor, General Assembly, and state courts to nullify unconstitutional federal laws, it creates processes for counties, municipalities, and registered voters to force the General Assembly to introduce and consider bills of nullification.

Under HB 2610 and SB 2657, the scope of which federal actions to review is comprehensive. It defines "federal action" as including "federal law; a federal agency rule, policy, or standard; an executive order of the president of the United States; an order or decision of a federal court; and the making or enforcing of a treaty."

Additionally, the bills expressly state that "any federal action, whether said action is past, present, or future," can be nullified using the outlined processes.

When examining the constitutionality of federal actions, HB 2610 and SB 2657 require considering "the plain reading and reasoning of the text of the United States Constitution and the understood definitions at the time of the framing and construction of the Constitution by the framers."

If a federal action is found unconstitutional under HB 2610 and SB 2657, that action would be prohibited from being enforced in Tennessee by any state or local government agency, and no funds may be used to enforce it.

HB 2610 and SB 2657 are firmly grounded in the text of the U.S. Constitution. In particular, Article VI states, "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof … shall be the supreme Law of the Land." Additionally, the 10th Amendment makes clear that all powers not granted by the Constitution to the federal government are reserved to the states and to the people.

Accordingly, any federal action that violates or contradicts the Constitution cannot be "made in Pursuance thereof" and, thus, is not "the supreme Law of the Land." Unfortunately, in the last several decades, thousands of unconstitutional laws on the federal, state, and even local levels have been created and enforced.

HB 2610 and SB 2657 follow and enforce both of these important constitutional provisions (Article VI and the 10th Amendment) by nullifying unconstitutional federal actions and by restoring state sovereignty. Additionally, exercising these powers is more important now than ever, considering the extent to which the federal government has overreached. If our leaders adhered consistently to the Constitution, more than 80 percent of the federal government would be declared unconstitutional, and the situation will likely get worse under the Biden administration.

Urge your state representative and senator to support the Restoring State Sovereignty Through Nullification Act (HB 2610 and SB 2657) and any other attempt to properly enforce the Constitution and nullify federal overreach.