

HOUSE RESOLUTION 63

By Farmer

A RESOLUTION to expel Justin J. Pearson from his seat as a member of the House of Representatives of the One Hundred Thirteenth General Assembly of the State of Tennessee elected by the Eighty-sixth Representative District.

WHEREAS, Article II, Section 12 of the Tennessee Constitution provides that "Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same offence; and shall have all other powers necessary for a branch of the Legislature of a free State"; and

WHEREAS, all members of the House of Representatives must comply with the Permanent Rules of Order of the Tennessee House of Representatives for the One Hundred Thirteenth General Assembly—including, preserving order, adhering to decorum, speaking only with recognition, not crowding around the Clerk's desk, avoiding personalities, and not using props or displaying political messages; and

WHEREAS, during the House Floor Session (19th Legislative Day) on March 30, 2023, Justin J. Pearson of Shelby County, along with Gloria Johnson of Knox County and Justin Jones of Davidson County, did knowingly and intentionally bring disorder and dishonor to the House of Representatives through their individual and collective actions; and

WHEREAS, at approximately 10:49 AM, Representative Pearson and his colleagues, having gathered at Representative Johnson's desk, moved in unison to the well and began shouting without recognition; and

WHEREAS, once gathered in the well and called out of order, Representative Pearson and his colleagues proceeded to disrupt the proceedings of the House of Representatives from approximately 10:50 AM until approximately 11:42 AM; and

WHEREAS, during this time, Representative Pearson and his colleagues shouted, pounded on the podium, led chants with citizens in the gallery, and generally engaged in disorderly and disruptive conduct, including refusing to leave the well, sitting on the podium, and utilizing a sign displaying a political message; and

WHEREAS, during this time, Representative Pearson and Representative Jones used a bullhorn to amplify their protestations; and

WHEREAS, these actions were done in open session in the presence of, and witnessed by, the members and staff of the House of Representatives; and

WHEREAS, it appears to the satisfaction of this Body that Representative Pearson's conduct on March 30, 2023, constitutes disorderly behavior and justifies expulsion; and

WHEREAS, such disorderly behavior on the part of Representative Pearson reflects adversely upon the integrity and dignity of the House of Representatives of the State of Tennessee, places a cloud upon the action of this Honorable Body, and is inconsistent with the duty of a member of this Body; and

WHEREAS, it is deemed in the best interests of the people of the State of Tennessee and this Body for Representative Pearson to relinquish his seat as a member of the House of Representatives; and

WHEREAS, Representative Pearson has been given advance notice of the contents of this resolution and has been afforded the opportunity to debate the resolution on the floor of this House prior to its passage; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRTEENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, that, pursuant to the authority under Article II, Section 12 of the Tennessee Constitution, this Body hereby expels Justin J. Pearson from his seat as a member of the House of Representatives of the One Hundred Thirteenth General Assembly of the State of Tennessee elected by the Eighty-sixth Representative District for his disorderly behavior occurring on March 30, 2023, and declares the Eighty-sixth Representative District seat vacant.

BE IT FURTHER RESOLVED, that copies of this resolution be prepared and forwarded to Justin J. Pearson, the legislative body of Shelby County, the Honorable Bill Lee, Governor of the State of Tennessee, and the Honorable Tre Hargett, Secretary of State.