

**IN THE CHANCERY COURT FOR DAVIDSON COUNTY  
TWENTIETH JUDICIAL DISTRICT  
THE STATE OF TENNESSEE**

CLAY CAPP, *in his official and individual capacity as a Metropolitan Nashville City Councilmember*; BRENDA GADD, *in her official and individual capacity as a Metropolitan City Councilmember*; DELISHIA PORTERFIELD, *in her official and individual capacity as a Metropolitan Nashville Councilmember*; SANDRA SEPULVEDA, *in her official and individual capacity as a Metropolitan City Councilmember*; ZULFAT SUARA, *in her official and individual capacity as a Metropolitan City Councilmember*; TERRY VO, *in her official and individual capacity as a Metropolitan City Councilmember*; GINNY WELSCH, *in her official and individual capacity as a Metropolitan City Councilmember*.

Plaintiffs,

v.

GLENN FUNK, *in his official capacity as the District Attorney for the Twentieth Judicial District*; JONATHAN SKRMETTI, *in his official capacity as the Attorney General and Reporter for the State of Tennessee*,

Defendants.

Case No.

COMPLAINT FOR DECLARATORY  
RELIEF

**TENNESSEE SUPREME COURT RULE 54 NOTICE: THREE-JUDGE PANEL**

Pursuant to Tennessee Supreme Court Rule 54, Plaintiffs, through undersigned counsel, notify the Court that this action satisfies the criteria for a three-judge panel as it is a civil action that challenges the constitutionality of a state law and includes a claim for declaratory relief.

1. Plaintiffs file the attached Complaint for Declaratory Judgment.

2. Plaintiffs, duly elected members of the Metropolitan Nashville City Council, challenge Sections 7 and 8 of Senate Bill 6002 (Pub. Ch. 1 of the First Extraordinary Session of the 114<sup>th</sup> General Assembly). Section 7 amends Tenn. Code Ann. § 7-68-103, to make it a Class E felony for local government officials, like Plaintiffs, to “vote in the affirmative” for policies deemed to be “sanctuary policies,” as defined by Tenn. Code Ann. §7-68-102. Section 8 amends Tenn. Code Ann. §7-68-104 to require the Attorney General to initiate proceedings to remove from office any local government official who has both failed to comply with a court order issued under Tenn. Code Ann. § 7-68-104(d) and been subsequently convicted under Section 7.

3. Plaintiffs allege that Sections 7 and 8 (1) violate their rights to free speech, as guaranteed by the U.S. and Tennessee Constitutions; (2) impermissibly infringe on their legislative immunity; and (3) are unconstitutionally vague under the U.S. and Tennessee Constitutions.

4. Plaintiffs seek a declaratory judgment that affirms their claims and declares Sections 7 and 8 unconstitutional under the U.S. and Tennessee Constitutions.

Respectfully submitted,

/s/ Stella Yarbrough

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### **CERTIFICATE OF SERVICE**

This is to certify that a true and accurate copy of the foregoing notice has been sent in accordance with Rule 5 of the Tennessee Rules of Civil Procedure applicable to service of pleadings:

Attorney General for the State of Tennessee  
Office of the Tennessee Attorney General and Reporter  
500 Dr. Martin Luther King Jr. Blvd  
Nashville, TN 37219

*Attorney for Defendants*

DATE: June 24, 2025

/s/ Stella Yarbrough  
Stella Yarbrough