

# MEMORANDUM

Agenda Item No. 11(A)(22)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** December 2, 2014

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution urging the Florida  
Legislature to enact legislation  
that would restrict the use of  
firearms at gun ranges to  
individuals age 15 and above; or  
alternatively would allow local  
governments to regulate  
children's use of firearms at gun  
ranges

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.



R. A. Cuevas, Jr.  
County Attorney

RAC/smm



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

**DATE:** December 2, 2014

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R. A. Cuevas, Jr.  
County Attorney

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(22)  
12-2-14

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT WOULD RESTRICT THE USE OF FIREARMS AT GUN RANGES TO INDIVIDUALS AGE 15 AND ABOVE; OR ALTERNATIVELY WOULD ALLOW LOCAL GOVERNMENTS TO REGULATE CHILDREN'S USE OF FIREARMS AT GUN RANGES

**WHEREAS**, On August 25, 2014, a nine-year-old girl accidentally shot and killed her gun range instructor, Charles Vacca, at a gun range in Arizona; and

**WHEREAS**, the child was shooting an Uzi, a fully automatic weapon, which many experts claim would be dangerous for a child to handle; and

**WHEREAS**, some Uzi models are capable of firing up to 1,700 rounds per minute, or almost 30 rounds per second, according to the manufacturer's website; and

**WHEREAS**, on average approximately two children are killed each week as a result of unintentional shootings in the United States; and

**WHEREAS**, in the vast majority of unintentional child gun deaths the shooter is also a child; and

**WHEREAS**, while federal law prohibits minors from possessing a handgun, there is an exception for shooting ranges; and

**WHEREAS**, this state does not place an age restriction upon who may fire a weapon at a shooting range or the type of weapon that may be fired; and

**WHEREAS**, section 790.33, Florida Statutes, prohibits local governments from regulating the field of firearms and ammunition, and section 790.333, Florida Statutes, specifically prohibits local governments from regulating the use of firearms at shooting ranges; and

**WHEREAS**, without any laws restricting the age at which children may use firearms at gun ranges in Florida, the industry is self-regulated, with many gun ranges following the standard suggested by the National Association of Shooting Ranges allowing children above the age of seven to participate; and

**WHEREAS**, this Board would like to urge the Florida Legislature to enact legislation that would restrict children's use of firearms at gun ranges or would allow local governments to regulate children's use of firearms at gun ranges,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

**Section 1.** Urges the Florida Legislature to enact legislation that would restrict the use of firearms at gun ranges to individuals age 15 and above, or alternatively, allow local governments to regulate children's use of firearms at gun ranges.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker and the Chair and Members of the Miami-Dade State Legislative Delegation.

**Section 3.** Directs the County's state lobbyists to advocate for the passage of the legislation as set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2015 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Chairwoman Rebeca Sosa. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman

Bruno A. Barreiro  
Daniella Levine Cava  
Audrey M. Edmonson  
Barbara J. Jordan  
Dennis C. Moss  
Xavier L. Suarez

Esteban L. Bovo, Jr.  
Jose "Pepe" Diaz  
Sally A. Heyman  
Jean Monestime  
Sen. Javier D. Souto  
Juan C. Zapata

The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of December, 2014. This resolution shall become effective upon the earlier of (1) ten (10) days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

MP

Matthew Papkin