MEMORANDUM

Agenda Item No. 11(A)(20)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	December 18, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution urging the Florida Legislature to enact legislation allowing undocumented immigrants to apply for drivers licenses

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

MEMORANDUM
(Revised)

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

DATE: December 18, 2014

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

SUBJECT: Agenda Item No. 11(A)(20)

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)(20)
12-18-14

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION ALLOWING UNDOCUMENTED IMMIGRANTS TO APPLY FOR DRIVERS LICENSES

WHEREAS, in today's society, a drivers license is needed not simply to drive, but is also used to travel, rent or buy a house, apply for certain jobs, and clear many other hurdles; and

WHEREAS, more than 900,000 undocumented immigrants are estimated to be living in Florida, many of whom live in constant fear of being stopped, arrested, jailed, and possibly deported as a result of driving without a license; and

WHEREAS, often, following an undocumented immigrant's arrest for driving without a license, immigration authorities will pick up the foreign national and initiate deportation proceedings; and

WHEREAS, additionally, road safety has become a critical concern not just in Florida but across the country, with more than 33,000 traffic fatalities recorded in the United States in 2012; and

WHEREAS, allowing undocumented immigrants to apply for drivers licenses will improve public safety because those individuals will then undergo driving tests and will be able to purchase automobile insurance; and

WHEREAS, eleven other states, including California, New Mexico, Nevada, and Illinois, have already passed legislation allowing undocumented immigrants to apply for drivers licenses; and

WHEREAS, during the 2013 session of the Florida Legislature, Representative Randolph Bracy (D – Orlando) filed House Bill (HB) 235, which would have allowed some

undocumented immigrants—namely, those brought to the United States as children—to obtain a temporary driver license; and

WHEREAS, HB 235 passed both chambers of the Florida Legislature by a combined vote of 151-2, but Governor Rick Scott vetoed the bill on June 4, 2013; and

WHEREAS, this Board urges the Florida Legislature to enact legislation allowing undocumented immigrants to apply for drivers licenses,

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 allowing undocumented immigrants to apply for drivers licenses.

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

Section 3. Directs the County's State lobbyists to advocate for the legislation described in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2015 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. 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	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Daniella Levine Cava	Xavier L. Suarez
Juan C. Zapata	Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of December, 2014. This resolution shall become effective upon the earlier of (1) 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.

Michael J. Mastrucci