MEMORANDUM

Agenda Item No. 11(A)(5)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	November 17, 2015
FROM:	Abigail Price-Williams County Attorney	**SUBJECT:**	Resolution opposing House Bill 4031 or similar legislation that would permit open carry of handguns or concealed carry of weapons or firearms into a meeting of the governing body of a county by a concealed carry licensee

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.

Abigail Price-Williams
County Attorney

APW/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 17, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

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**

_____ **Statement of social equity 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)(5)
11-17-15

RESOLUTION NO. _____

RESOLUTION OPPOSING HOUSE BILL 4031 OR SIMILAR LEGISLATION THAT WOULD PERMIT OPEN CARRY OF HANDGUNS OR CONCEALED CARRY OF WEAPONS OR FIREARMS INTO A MEETING OF THE GOVERNING BODY OF A COUNTY BY A CONCEALED CARRY LICENSEE

WHEREAS, House Bill 4031 ("HB 4031") has been filed by Representative W. Gregory "Greg" Steube (R–Sarasota) for consideration during the 2016 session of the Florida Legislature; and

WHEREAS, HB 4031 would amend Section 790.06, Florida Statutes, to permit concealed carry licensees to carry a concealed weapon or firearm into any meeting of the governing body of a county, public school district, municipality, or special district; and

WHEREAS, HB 4031 would also permit concealed carry licensees to carry a concealed weapon or firearm into any meeting of the Florida Legislature or a committee thereof; and

WHEREAS, HB 4031 would further amend Section 790.06 to permit open carrying of handguns at any meeting of the governing body of a county, public school district, municipality, or special district, including any meeting of the Florida Legislature or committee thereof by a concealed carry licensee; and

WHEREAS, this bill, if enacted, would permit concealed carry licensees to openly carry handguns as well as concealed weapons or firearms into all public meetings taking place before this Board; and

WHEREAS, handguns and other concealed weapons or firearms have no place in a legislative, policymaking setting; and

WHEREAS, Senate Democratic Leader Arthenia Joyner (D–Tampa) has publicly opposed HB 4031, stating, "I don't want to give a law-abiding honest person the opportunity to become a criminal because they become so infuriated with a position I took they decide to take me out"; and

WHEREAS, this Board has consistently supported reasonable and sensible measures to help prevent potential violence when and where practicable,

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

Section 1. Opposes House Bill 4031 or similar legislation that would permit open carry of handguns or concealed carry of weapons or firearms into a meeting of the governing body of a county by a concealed carry licensee.

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

Section 3. Directs the County's state lobbyists to advocate against the legislation set forth in Section 1, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. 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:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of November, 2015. 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.

Javier Zapata