

MEMORANDUM

Agenda Item No. 11(A)(19)

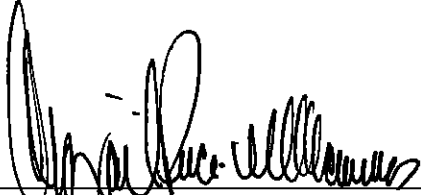
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 7, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enact SB 456,
HB 321 or similar legislation
that would prohibit the transfer
or possession of bump-fire stock
within the state

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 7, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(19)

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)(19)
11-7-17

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ENACT SB 456, HB 321 OR SIMILAR LEGISLATION THAT
WOULD PROHIBIT THE TRANSFER OR POSSESSION OF
BUMP-FIRE STOCK WITHIN THE STATE

WHEREAS, mass shootings continue to plague the American people; and

WHEREAS, the use of automatic weapons or weapons simulated to fire like automatic weapons increases the likelihood of greater death and injury during such mass shootings; and

WHEREAS, bump-fire stocks are attached to semi-automatic weapons and are used to mimic the firepower of automatic weapons which continue firing until the ammunition is expended or the trigger is released; and

WHEREAS, while automatic weapons are tightly regulated within the United States, the use of bump-fire stocks in semi-automatic weapons is not and is currently legal; and

WHEREAS, on October 1, 2017, a man using semiautomatic rifles legally modified to shoot like automatic weapons fired into a crowd of concertgoers on the Las Vegas Strip; and

WHEREAS, the gunman killed 58 people and wounded hundreds of others, making it the worst mass shooting in United States history; and

WHEREAS, this exemplifies the serious capability and extreme danger of bump-fire stocks; and

WHEREAS, Senate Bill 456 (SB 456) has been filed for consideration during the 2018 session of the Florida Legislature by Senator Linda Stewart (D – Orlando); and

WHEREAS, House Bill 321 (HB 321) has been filed for consideration during the 2018 session of the Florida Legislature by Representative David Richardson (D – Miami Beach); and

WHEREAS, SB 456 and HB 321 would:

- a. prohibit the importation, transfer, distribution, transport, sale, giving, or possession of a bump-fire stock within the State of Florida;
- b. authorize a person to relinquish a bump-fire stock to law enforcement and require law enforcement to destroy the device; and
- c. require those who do not relinquish the device to law enforcement to destroy it; and

WHEREAS, considering the great danger of bump-fire stock, this Board would like to urge the Florida Legislature to impose a prohibition on the use of the device,

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 SB 456, HB 321 or similar legislation that would prohibit the transfer or possession of bump-fire stock within the state.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Senate President, the House Speaker, Senator Linda Stewart, Representative David Richardson and the Chair and remaining Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the passage of legislation in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2018 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. 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:

| | |
|-------------------------------------|----------------------|
| Esteban L. Bovo, Jr., Chairman | |
| Audrey M. Edmonson, Vice Chairwoman | |
| Bruno A. Barreiro | Daniella Levine Cava |
| Jose "Pepe" Diaz | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| Jean Monestime | Dennis C. Moss |
| Rebeca Sosa | Sen. Javier D. Souto |
| Xavier L. Suarez | |

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of November, 2017. 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.

APP

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