

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

Agenda Item No. 11(A)(19)  
02-20-07

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-198-07

RESOLUTION URGING THE FLORIDA LEGISLATURE TO  
INCREASE THE PENALTIES FOR THE UNLAWFUL  
DISCHARGE OF A FIREARM IN PUBLIC

**WHEREAS**, discharging a firearm into the air to celebrate the coming of a New Year or any other occasion has resulted in death and serious injury from stray bullets; and

**WHEREAS**, tragically, too many innocent Florida residents, including children, have been accidentally killed or seriously injured by the celebratory discharge of a firearm; and

**WHEREAS**, state law provides that knowingly discharging a firearm in any public place or over any occupied premises, while outside of a vehicle, is a misdemeanor of the first degree; and

**WHEREAS**, there is a great need to increase the criminal penalties for the dangerous practice of recklessly discharging a firearm in public in an effort to deter this behavior and reduce the number of deaths and serious bodily injuries resulting therefrom,

**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 pass legislation increasing the penalties for the unlawful discharge of a firearm in public from a misdemeanor to a felony.

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

**Section 3.** Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2007 State Legislative Package.

The foregoing resolution was sponsored by Commissioner Audrey M. Edmonson and Commissioner Jose "Pepe" Diaz and offered by Commissioner Dennis C. Moss, who moved its adoption. The motion was seconded by Commissioner Dorrin D. Rolle and upon being put to a vote, the vote was as follows:

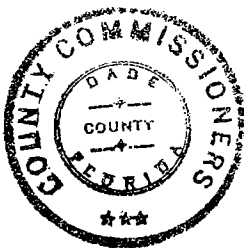
Bruno A. Barreiro, Chairman	aye		
Barbara J. Jordan, Vice-Chairwoman	aye		
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	absent
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	absent	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 20<sup>th</sup> day of February, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: **KAY SULLIVAN**  
Deputy Clerk



Approved by County Attorney as  
to form and legal sufficiency.

Abigail Price-Williams



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** February 20, 2007

**FROM:** Murray A. Greenberg  
County Attorney

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

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

**MEMORANDUM**

Agenda Item No. 11(A)(19)

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**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

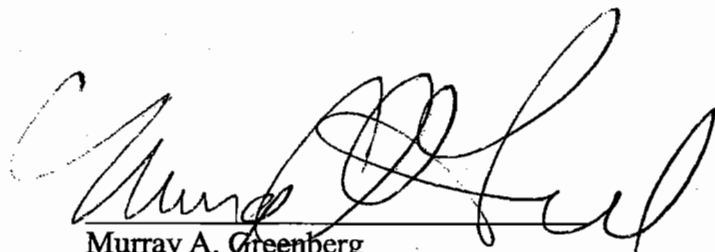
**DATE:** February 20, 2007

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Resolution relating to  
increasing the penalties for the  
unlawful discharge of a  
firearm in public

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Audrey M. Edmonson and Commissioner Jose "Pepe" Diaz.



Murray A. Greenberg  
County Attorney

MAG/jls