

## MEMORANDUM

Agenda Item No. 11(A)(5)

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

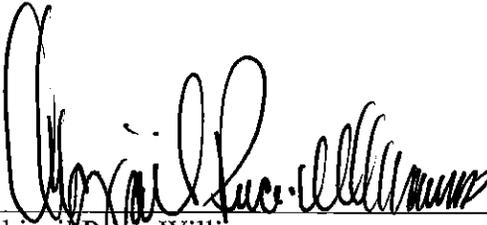
**DATE:** November 17, 2015

**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

Resolution No. R-1044-15

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

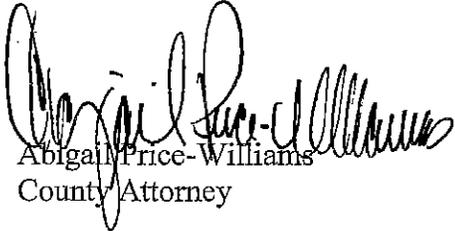


# MEMORANDUM

(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. R-1044-15

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 **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 17<sup>th</sup> 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: **Christopher Agrippa**  
Deputy Clerk



Approved by County Attorney as  
to form and legal sufficiency.

Javier Zapata

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