

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH, FLORIDA, URGING THE U.S. SENATE TO PASS THE “BIPARTISAN BACKGROUND CHECKS ACT OF 2021” AND THE “ENHANCED BACKGROUND CHECKS ACT OF 2021,” AND DIRECTING THE CITY CLERK TO SEND A COPY OF THIS RESOLUTION TO THE U.S. SENATE MAJORITY LEADER, AND FLORIDA U.S. SENATORS RICK SCOTT AND MARCO RUBIO.

WHEREAS, on April 7, 2021, Biden-Harris Administration announced six actions to address the gun violence public health epidemic; and

WHEREAS, President Biden’s new policies attempt to do two things: limit the availability of certain weapons and encourage states to enact gun control legislation on their own by taking the following actions:

- Stopping the sale of “ghost guns,” which are handmade firearms sold in kits or 3D printed, making them untraceable by the government.
- New regulations and more thorough application process to obtain pistol-stabilizing braces, which turn pistols into veritable short-barreled rifles, weapons that are more accurate and deadlier than a handgun. Biden wants to treat them as such.
- Encouraging “red flag” laws which would allow the courts to bar people from carrying guns if they are shown by family or law enforcement to present a danger to themselves or others.
- Federal studies on gun trafficking, charging the ATF and the Justice Department to issue annual reports on gun trafficking.
- Investments in community violence intervention programs; and

WHEREAS, President Biden’s actions are significant but address only a very small part of America’s enormous gun problem – the new executive orders will not close loopholes that allow buyers to escape background checks online or at gun shows, which is why Congress must pass new gun legislation to make substantial progress toward gun reform; and

WHEREAS, on April 8, the U.S. House of Representatives passed two bills, H.R. 8 and H.R. 1446, to expand and strengthen background checks for firearm purchases; and

WHEREAS, H.R. 8, titled “Bipartisan Background Checks Act of 2021,” would expand background checks on individuals seeking to purchase or transfer firearms by strengthening the existing Brady background check law, and requiring background checks on gun sales by private unlicensed sellers, including sales made online or at gun shows; and

WHEREAS, currently, about one in five gun sales or transfers is done with no background check, partly because background checks have not been required on gun sales made by private sellers, leading to many dangerous illegal purchasers, such as convicted felons, domestic abusers, and other “prohibited persons” exploit this loophole; and

WHEREAS, the “private sales” loophole that H.R. 8 would close contributes to the death or injury of Americans every year; and

WHEREAS, the other bill passed by the House, H.R. 1446, titled the "Enhanced Background Checks Act of 2021," closes a gap in federal law that allows gun sales to proceed without a completed background check if three (3) business days have passed, and extends the time period the FBI has to determine whether a buyer is qualified to purchase a gun from three (3) days to ten (10) days; and

WHEREAS, the current three-day deadline enabled the man who murdered nine people at the A.M.E. Church in Charleston, S.C. in 2015, to get a gun when he shouldn't have been able to obtain; and

WHEREAS, the gun violence problem that H.R. 8 and H.R. 1446 address is enormous and has recently been getting worse – more than 300 people are shot and over 100 are killed with firearms a day in the U.S., despite the COVID-19 pandemic, when Americans had to shelter at home, businesses closed and people lost their jobs; and

WHEREAS, Americans overwhelmingly support solving the problem – according to a poll released on March 10, 2021, 84 percent of voters support a law requiring background checks for all firearm purchases; and

WHEREAS, for these reasons, the Mayor and City Commission urge the U.S. Senate to vote on and approve the "Bipartisan Background Checks Act of 2021" and the "Enhanced Background Checks Act of 2021", which, if passed, will have an immediate effect on who is able to buy guns, and therefore save hundreds of lives.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and the City hereby urge the U.S. Senate to pass the "Bipartisan Background Checks Act of 2021" and the "Enhanced Background Checks Act of 2021," and direct the City Clerk to send a copy of this Resolution to the U.S. Senate Majority Leader, and Florida U.S. Senators Rick Scott and Marco Rubio.

PASSED AND ADOPTED this _____ day of _____, 2021.

Attest:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner David Richardson)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

4-13-21

Date