

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, STRONGLY OPPOSING SENATE BILL 90, WHICH SEEKS TO CANCEL EXISTING MAIL BALLOT REQUESTS FOR MILLIONS OF VOTERS AROUND THE STATE, LIMIT VOTE-BY-MAIL APPLICATIONS TO ONE ELECTION CYCLE, AND BAN DROP BOXES, HOUSE BILL 7041, WHICH SEEKS TO CRIMINALIZE HANDING OUT WATER OR FOOD TO VOTERS WAITING IN LINE, AND ANY OTHER SIMILAR LEGISLATION AIMING TO CURTAIL ACCESS TO VOTING; AND DIRECTING THE CITY CLERK TO SEND A COPY OF THIS RESOLUTION TO THE SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES, AND THE PRESIDENT OF THE FLORIDA SENATE.**

**WHEREAS**, in 2021, multiple bills have been filed for consideration during the 2021 Florida Legislative Session aiming to create new hurdles when it comes voting in local, state, and federal elections; and

**WHEREAS**, House Bill (“HB”) 7041 primarily seeks to change parts of the state's vote-by-mail process, including requiring that vote-by-mail droboxes be monitored 24/7, and limiting who is allowed to drop off a ballot on someone's behalf; and

**WHEREAS**, however, one of the more controversial provisions of HB 7041 seeks to increase the distance from a polling site in which voters could not be “solicited” from the current 100 feet to 150 feet; and

**WHEREAS**, if enacted, the bill will define “solicit” to include distributing campaign materials, selling items, conducting polls, or giving or attempting to give any item, making it a misdemeanor to hand out water—or anything else—to voters waiting within 150 foot line; and

**WHEREAS**, handing out food or water in merciless Florida heat is something voting rights groups say is essential for ensuring people actually stay in line, and prohibiting such an act is not only cruel but discourages people from staying in line to fulfill their civic duties; and

**WHEREAS**, moreover, Florida Senate Bill (“SB”) 90 seeks to cancel existing mail ballot requests for millions of voters around the state, limit vote-by-mail applications to one election cycle, and completely eliminate all of ballot drop boxes in the state; and

**WHEREAS**, SB 90 explicitly provides that voters who have already requested a vote-by-mail ballot prior to the July 1, 2021 effective date would have their vote-by-mail ballot request cancelled and must affirmatively resubmit a request to receive a vote-by-mail ballot for any local, state or federal election after July 1, 2021; and

**WHEREAS**, if enacted, SB 90 would cancel existing mail ballot requests for millions of voters around the state and will create havoc in upcoming local elections; and

**WHEREAS**, Florida was nationally recognized and applauded for being one of the states that was able to tally the votes quickly and accurately on the first night of the 2020 General election; and

**WHEREAS**, after a record 4.8 million Floridians voted by mail in November 2020 without any issues or controversy, there is no justification for eliminating drop boxes and dramatically changing the vote-by-mail process; and

**WHEREAS**, recently, Georgia enacted an expansive election reform largely in the same vein as proposed voting bills in the Florida, making it difficult to vote by mail, criminalizing giving Georgians a drink of water to their neighbors, and allowing state takeover of county elections; and

**WHEREAS**, voting rights advocates have since sued Georgia election officials, and have specifically claimed outlawing the practice of handing out water discourages Black voters from going to the polls; and

**WHEREAS**, in response to the controversial voting bill, Major League Baseball announced that it would move it's All-Star Game out of Atlanta, citing their support for voting rights and opposition to restrictions to the ballot box; and

**WHEREAS**, Apple's drama "Emancipation," an upcoming film directed by Antoine Fuqua and starring Will Smith, will no longer shoot in Georgia as a response to Governor Brian Kemp signing the state's controversial new voting law; and

**WHEREAS**, as Florida begins to slowly recover from the COVID-19 pandemic, tourism remains the state's biggest source of revenue, and enacting such controversial and unfair voting laws without any basis would turn the state into a pariah location, and inspire a wave of personal and corporate boycotts as the ones seen in Georgia; and

**WHEREAS**, as such, the Mayor and City Commission strongly oppose HB 7041, SB 90, and any other proposed legislation seeking to curtail access to voting.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby strongly oppose Senate Bill 90, which seeks to cancel existing mail ballot requests for millions of voters around the state, limit vote-by-mail applications to one election cycle, and ban drop boxes, House Bill 7041, which seeks to criminalize handing out water or food to voters waiting in line, and any other similar legislation aiming to curtail access to voting; and direct the City Clerk to send a copy of this Resolution to the Speaker of the Florida House of Representatives, and the President of the Florida Senate.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

Attest:

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

(Sponsored by Mayor Dan Gelber)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney *FA*

4-19-21  
Date