

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, OPPOSING HOUSE BILL 543, WHICH WOULD AMEND FLORIDA LAW TO ELIMINATE THE REQUIREMENT THAT A PERSON MUST POSSESS A VALID CONCEALED WEAPONS LICENSE, ISSUED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, IN ORDER TO LEGALLY CARRY A CONCEALED WEAPON OR FIREARM, AND INSTEAD, HOUSE BILL 543 WOULD EXPRESSLY AUTHORIZE THE CONCEALED CARRY OF WEAPONS AND FIREARMS BY PERSONS WITHOUT EVER OBTAINING A CONCEALED WEAPONS LICENSE; AND DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE PRESIDENT OF THE FLORIDA SENATE AND SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES.

WHEREAS, House Bill 543 ("HB 543"), has been filed for consideration during the 2023 Florida legislative session, and is co-sponsored by House Representatives Robert Charles Brannan III and Bobby Payne; and

WHEREAS, HB 543 has already received favorable final action from the Constitutional Rights, Rule of Law & Government Operations Subcommittee, and is presently pending in the Judiciary Committee of the Florida House of Representatives; and

WHEREAS, presently, unless exempted, a person is prohibited from carrying a concealed weapon or concealed firearm unless such person has a valid license to carry a concealed weapon ("CWL"); and

WHEREAS, carrying a concealed weapon without a CWL is a first degree misdemeanor and carrying a concealed firearm without a CWL is a third degree felony; and

WHEREAS, HB 543 would amend Fla. Stat. 790.01 to continue to authorize persons to carry concealed weapons or firearms if such person has a valid CWL, but would also authorize persons not having a CWL to carry a concealed weapon or firearm, if such person otherwise satisfies the majority of the criteria for receiving and maintaining a CWL; and

WHEREAS, HB 543 would eliminate the current Florida CWL requirements for fingerprinting, criminal background checks, and demonstrating competency with a firearm for persons seeking to carry concealed weapons and firearms in public; and

WHEREAS, these requirements have allowed the Florida Department of Agriculture and Consumer Services (the "Department of Agriculture") to screen out ineligible applicants, including felons and those convicted of crimes of violence; and

WHEREAS, between July 1, 2021 and June 30, 2022, the Department of Agriculture denied 8,490 CWL applicants and revoked the licenses of another 1,516 persons; and

WHEREAS, those States that have passed permit-less carry bills, like HB 543, have experienced a 22% increase in gun homicide rates during the three (3) years following passage; and

WHEREAS, the State of Florida already tallies an alarming one (1) gun death every three (3) hours; and

WHEREAS, the City of Miami Beach consistently strives to ensure its residents and visitors have a positive experience whether living in the City, or just visiting the City for vacation or a work-related trip; and

WHEREAS, if enacted, HB 543 endangers the residents, visitors and businesses in the City of Miami Beach, and moreover, in the entire State of Florida; and

WHEREAS, accordingly, the Mayor and City Commission hereby declare their opposition to HB 543, and any substitute or similar legislation that authorizes the concealed carry of weapons and firearms without obtaining a license to carry a concealed weapon or firearm and satisfying all of the requirements appurtenant thereto.

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 oppose House Bill 543, which would amend Florida law to eliminate the requirement that a person must possess a valid concealed weapons license, issued by the Florida Department of Agriculture and Consumer Services, in order to legally carry a concealed weapon or firearm, and instead, House Bill 543 would expressly authorize the concealed carry of weapons and firearms by persons without ever obtaining a concealed weapons license; and directing the City clerk to transmit a copy of this resolution to the President of the Florida Senate and Speaker of the Florida House of Representatives.

PASSED AND ADOPTED this ____ day of _____, 2023.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

2-14-23

Date

MAF