

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

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, STRONGLY CONDEMNING THE FOLLOWING BILLS PASSED DURING THE 2023 FLORIDA LEGISLATIVE SESSION: HOUSE BILL 543 (ALLOWING PERMITLESS CARRY OF CONCEALED FIREARMS), HOUSE BILL 1438 (TARGETING THE LGBTQ+ COMMUNITY AND FREEDOM OF EXPRESSION), HOUSE BILL 1069 (EXPANDING THE INFAMOUS “DON’T SAY GAY” BILL TO PREK-8), SENATE BILL 300/HOUSE BILL 7 (BANNING ACCESS TO ABORTION AFTER SIX WEEKS), HOUSE BILL 1521 (FORCING TRANSGENDER INDIVIDUALS TO USE RESTROOMS CONTRARY TO THEIR IDENTITY), EXPRESSING PROFOUND DISAPPOINTMENT WITH THE FLORIDA LEGISLATURE FOR THE PASSAGE OF THE AFOREMENTIONED BILLS THAT TARGET SAFETY, REPRODUCTIVE HEALTHCARE RIGHTS, AND CIVIL RIGHTS OF FLORIDIANS, AND EXPRESSING DEEP DISAPPOINTMENT WITH STATE REPRESENTATIVE FABIAN BASABE, WHO VOTED IN FAVOR OF NEARLY ALL OF THE FOREGOING BILLS, WHICH FAIL TO REPRESENT THE VALUES OF THE CITY OF MIAMI BEACH.

**WHEREAS**, the 2023 Florida Legislative session has passed an alarming number of bills that jeopardize public safety, reproductive healthcare rights, and civil rights of Floridians; and

**WHEREAS**, on April 11, 2023, the Florida Senate voted to pass Senate Bill 1438 (SB 1438), a bill that grants state agencies the power to target LGBTQ+ friendly businesses by giving the Department of Business and Professional Regulation discretionary authority to fine, revoke liquor licenses, and even shut down establishments; and

**WHEREAS**, while Senate Bill 1438 doesn’t explicitly mention drag shows, it makes it a crime to admit young people to any performance, exhibit, play, or show that any state agency official determines, in their sole discretion, is somehow inappropriate, even if the child’s parents think it is appropriate for their family; and

**WHEREAS**, SB 1438 also prohibits municipalities, counties and other governments from issuing permits for events that feature such performances, and should a government issue a permit for an event that goes on to violate SB 1438, the event organizer named in the permit would face a first-degree misdemeanor; and

**WHEREAS**, on April 13, 2023, Governor Ron DeSantis signed House Bill 7/Senate Bill 300, which bans access to abortion after six weeks and criminalize doctors who offer abortion care to patients after six weeks — before many patients even know they are pregnant; and

**WHEREAS**, on April 19, 2023, Florida Legislature passed House Bill 1521, which prohibits gender-inclusive restrooms and changing facilities in private businesses, healthcare facilities, schools, public shelters, and jails, threatening transgender Floridians' fundamental human rights and safety; and

**WHEREAS**, Governor DeSantis also signed into effect House Bill 543, which eliminates background checks, training, and fees for a concealed-carry weapons license, jeopardizing the safety of Floridians and visitors – studies show that permitless carry makes public spaces more dangerous for everyone, including police officers; and

**WHEREAS**, Florida Legislature also advanced House Bill 1069, which seek to expand Florida's infamous "Don't Say Gay" bill to include prekindergarten to eighth grade in its restrictions, and prohibits students and employees alike in K-12 public schools from providing any pronoun that doesn't correspond with their assigned "sex" at birth, among other changes; and

**WHEREAS**, all of these bills, that have already been enacted or are in the process of being enacted, will negatively affect public safety, reproductive rights, civil rights, and financial wellbeing of Floridians; and

**WHEREAS**, the Mayor and City Commission are profoundly disappointed with the Florida Legislature for passing legislation that will hurt rather than benefit the people of Florida, in direct contradiction of the duties and responsibilities of elected public servants; and

**WHEREAS**, the Mayor and City Commission are particularly disappointed with State Representative Fabian Basabe, who voted in favor of nearly all of the foregoing bills, which fail to represent the values of the City of Miami Beach; and

**WHEREAS**, at the November 16, 2022 City Commission meeting, Mr. Basabe introduced himself to the Mayor and City Commission as the newly elected state representative, and was reminded by Commissioner Alex J. Fernandez of the importance of protecting the City's Home Rule powers, as well as the rights of the LGBTQ community, especially transgender individuals; and

**WHEREAS**, Representative Basabe's disgraceful actions are compounded by the fact that he did not feel compelled to be present and vote against House Bill 7, which significantly curbs reproductive healthcare rights of his constituents, and decided to simply leave the chambers, failing the people who voted for him to represent their interests at the state level.

**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 condemning the following bills passed during the 2023 Florida Legislative session: House Bill 543 (allowing permitless carry of concealed firearms), House Bill 1438 (targeting the LGBTQ+ community and freedom of

expression), House Bill 1069 (expanding the infamous “Don’t Say Gay” bill to PreK-8), Senate Bill 300/House Bill 7 (banning access to abortion after six weeks), and House Bill 1521 (forcing transgender individuals to use restrooms contrary to their identity), express profound disappointment with the Florida Legislature for the passage of the aforementioned bills that target safety, reproductive healthcare rights, and civil rights of Floridians, and express deep disappointment with State Representative Fabian Basabe, who voted in favor of nearly all of the foregoing bills, which fail to represent the values of the City of Miami Beach.

**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 *FB*

4-27-23  
Date