

Legislation Details (With Text)

File #:	18-262	Version:	1	Name:	
Type:	Resolution / Regular Agenda		Status:	Passed	
File created:	3/7/2018		In control:	City Commission	
On agenda:	3/13/2018		Final action:	3/13/2018	
Title:	A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING AND DIRECTING THE FILING OF A LAWSUIT SEEKING A DECLARATION THAT THE PROVISIONS PUNISHING ELECTED OFFICIALS SET FORTH IN SECTION 790.33, FLORIDA STATUTES, FOR VIOLATING THE PREEMPTION RELATED TO THE REGULATION OF FIREARMS AND AMMUNITION ARE INVALID, AND INVITING OTHER LOCAL GOVERNMENTS TO JOIN THE LAWSUIT; PROVIDING FOR AN EFFECTIVE DATE. (Fiscal Impact: Maximum of \$10,000.00)				

Sponsors:

Indexes:

Code sections:

Attachments: 1. Originating e-mail request, 2. Resolution

Date	Ver.	Action By	Action	Result
3/13/2018	1	City Commission	ADOPTED	Pass

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING AND DIRECTING THE FILING OF A LAWSUIT SEEKING A DECLARATION THAT THE PROVISIONS PUNISHING ELECTED OFFICIALS SET FORTH IN SECTION 790.33, FLORIDA STATUTES, FOR VIOLATING THE PREEMPTION RELATED TO THE REGULATION OF FIREARMS AND AMMUNITION ARE INVALID, AND INVITING OTHER LOCAL GOVERNMENTS TO JOIN THE LAWSUIT; PROVIDING FOR AN EFFECTIVE DATE.
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(Staff Contact: Mark E. Berman)

Summary Explanation/Background:

Due to the unprecedented number of mass shootings in American communities in the last few years, and based on current Florida law, which has a chilling effect on elected officials from discussing or enacting local legislation to protect their residents from gun violence, the opportunity to engage in litigation to attack the penalty provisions contained in Section 790.33, Florida Statutes, a lawsuit will be initiated to challenge the constitutionality of the law by the City of Weston who invites other Broward municipalities to participate in same.

Origin of request for this action: Gregory P. Harrison, City Manager

Fiscal impact and source of funding: Maximum of \$10,000.00

