

Agenda Item #. 4A-1

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

BAI V 7-0  
Postponed until  
March 1, 2011

AGENDA ITEM SUMMARY

Meeting Date: March 1, 2011

Consent  Regular  
 Public Hearing

Department: Legislative Affairs

Submitted By: Legislative Affairs

Submitted For: Legislative Affairs

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to adopt: A resolution of the Board of County Commissioners of Palm Beach County, Florida, urging the Legislature of the State of Florida to enact a ban on large capacity ammunition feeding devices including a magazine, belt, drum, feed strip, or similar device that has the capacity of, or can be readily restored or converted to accept, more than 21 rounds of ammunition. This ban includes the transfer, possession, or manufacturing of such devices in the state of Florida.

**Summary:** The federal ban on large capacity ammunition feeding devices (LCAFD) and Semi-Automatic Weapons expired on September 13, 2004. Since that time, several states have enacted bans on LCAFD because of their potential to inflict tremendous harm such as the tragedies in Tucson, Arizona, and Columbine, Colorado. Studies have shown that bans on LCAFD significantly reduce the capacity and lethality of a firearm. Therefore, the Board of County Commissioners of Palm Beach County urges the Legislature to consider and support legislation that would ban LCAFD with a capacity of 21-rounds or greater. Countywide (DW)

**Background and Policy Issues:** The federal government has not reinstated the ban on assault weapons or LCAFD. Therefore, states and local governments have been enacting various pieces of legislation to address the issue since 2004. The Board of County Commissioners of Palm Beach County is requesting that the State of Florida enact legislation that would ban an LCAFD with a capacity of 21-rounds or greater. Previously, the State has not passed such legislation.

**Attachments:**

- 1. Resolution

Recommended by: [Signature] 2/7/11  
Department Director Date

Approved By: [Signature] 2/8/11  
County Administration Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact: N/A**

Fiscal Years	20 <u>11</u>	20 _____	20 _____	20 _____	20 _____
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	-0-	_____	_____	_____	_____
<b>No. ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_  
 Object \_\_\_\_\_ Reporting Category \_\_\_\_\_

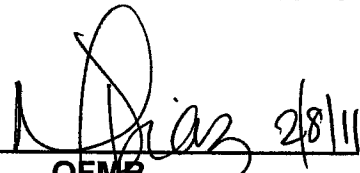
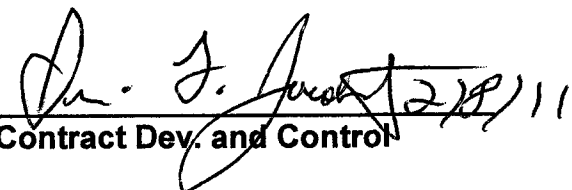
**B. Recommended Sources of Funds/Summary of Fiscal Impact: N/A**

There is no fiscal impact associated with this item.

**C. Departmental Fiscal Review:**

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

<p align="center">               _____              OFMB              2/8/11              2/8/11              2/8/11         </p>	<p align="center">               _____              Contract Dev. and Control         </p>
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**B. Legal Sufficiency:**

  
 \_\_\_\_\_  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

Resolution No. 2011-\_\_\_\_

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, URGING THE LEGISLATURE OF THE STATE OF FLORIDA TO ENACT A BAN ON LARGE CAPACITY AMMUNITION FEEDING DEVICES INCLUDING A MAGAZINE, BELT, DRUM, FEED STRIP, OR SIMILAR DEVICE THAT HAS THE CAPACITY OF, OR CAN BE READILY RESTORED OR CONVERTED TO ACCEPT, MORE THAN 21 ROUNDS OF AMMUNITION. THIS BAN INCLUDES THE TRANSFER, POSSESSION, OR MANUFACTURING OF SUCH DEVICES IN THE STATE OF FLORIDA.**

**WHEREAS**, the Large Capacity Ammunition Feeding Devices (LCAFD) federal ban was enacted in conjunction with the Semi-Automatic Weapon ban on September 13, 1994; and

**WHEREAS**, the federal ban on LCAFD and Semi-Automatic Weapons expired on September 13, 2004; and

**WHEREAS**, six states have enacted laws banning LCAFD for use in any firearm since that time: California, Hawaii, Maryland, Massachusetts, New Jersey and New York in various capacities; and

**WHEREAS**, LCAFD have been used in tragic mass-shootings since that time, including Tucson, Arizona and Columbine, Colorado; and

**WHEREAS**, studies have shown that bans on LCAFD significantly reduce the capacity and lethality of a firearm; and

**WHEREAS**, a January 2011 national poll conducted for Mayors Against Illegal Guns found that 58% of Americans support a ban on the sale of high-capacity magazines.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

1. Palm Beach County encourages the Legislature of the State of Florida to enact a ban on large capacity ammunition feeding devices (LCAFD) including a magazine, belt, drum, feed strip, or similar device that has the capacity of, or can be readily restored or converted to accept, more than 21 rounds of ammunition, including the transfer, possession or manufacturing of such devices in the State of Florida, except for law enforcement officers.
  
2. A copy of this resolution be forwarded to the Governor of Florida, members of the Palm Beach County Legislative Delegation, and the Florida Association of Counties.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Commissioner Karen T. Marcus, Chair	-	_____
Commissioner Shelley Vana, Vice Chair	-	_____
Commissioner Paulette Burdick	-	_____
Commissioner Burt Aaronson	-	_____
Commissioner Steven L. Abrams	-	_____
Commissioner Jess Santamaria	-	_____
Commissioner Priscilla Taylor	-	_____

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Approved as to Form  
And Legal Sufficiency

Palm Beach County, Florida by its  
Board of County Commissioners

Sharon R. Bock, Clerk & Comptroller

By:  \_\_\_\_\_  
Assistant County Attorney

By: \_\_\_\_\_  
Deputy Clerk