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February 27, 2018

The Honorable Speaker Richard Corcoran  
Florida House of Representatives  
420 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399

The Honorable Senate President Joe Negron  
Florida Senate  
330 Senate Office Building  
404 S. Monroe Street  
Tallahassee, FL 32399

Dear Speaker Corcoran and Senate President Negron:

I write in the wake of yet another tragic shooting, this time involving a 19-year-old using a semiautomatic AR-15 that he legally purchased and used to methodically murder 14 of his former classmates and 3 teachers at Marjory Stoneman Douglas High School in Parkland, Florida. Once again, the citizens of Florida have been forced to try to make sense of the senseless. They have been forced to try to make sense of the lack of leadership from you and other elected officials who are beholden to the gun lobby in our State and around the country. What's worse than this inability to lead, is the fact that the Florida Legislature passed a law (Florida Statute § 790.33) that reserved for the state the exclusive right to regulate firearms. Not only does Florida's firearm preemption law prevent localities from enacting any kind of firearm measure, but it also subjects a violating locality or local official to a civil fine – what I believe to be an unconstitutional provision given that legislators generally are immune from civil liability.

It was my understanding that a founding principle of the Republican Party is that local control is best, yet Florida's firearm preemption law flies in the face of that principle. Florida has a population of over 20 million people, with a diverse geography ranging from rural pockets to expanding suburbs to overflowing cities. It seems obvious that whatever works for Hendry County will not necessarily work for Broward County. Yet in passing this firearm preemption law, the Florida State Legislature seems intent on instituting a one-size-fits-all approach that completely cuts out local officials from enacting gun policies that best serve their communities.

At the same time Republicans rail against big government mandates, they seem delighted in passing laws that directly attack the principle of home rule and avert the powers of local government officials. Home rule is based on a concept that the closer the government is to the people, the more responsive it will be. Instead of letting the cities and counties work, you have shifted local government responsibility to the State. Students should not have to take a seven-hour bus ride to Tallahassee to demand change. They should be able to push for change in their local city hall or at their county commissioners meeting.

All Floridians, and Americans for that matter, have a right to make their communities safe from the onslaught of gun violence this country witnesses month after month. They have a right to demand that individuals with a history of mental illness cannot buy a gun. They have a right to demand an end to the preposterous number of military-style firearms flowing through their streets.

Florida is now home to two of the most deadly mass shootings in modern U.S. history. If the Florida State Legislature refuses to lead on gun safety, it should at the very least step aside so that local government officials can fill the void and protect our State's citizens. I respectfully urge you to prioritize the repeal of the firearm preemption law that limits the ability of localities to implement sensible gun measures, so that they may exhibit the leadership that has been so clearly lacking at the State level.

Sincerely,

A handwritten signature in blue ink that reads "Alcee L. Hastings". The signature is fluid and cursive, with a long horizontal stroke at the end.

Alcee L. Hastings  
Member of Congress

Cc: The Honorable Rick Scott, Governor, Florida