

File No. 230746

Committee Item No. _____

Board Item No. 54

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: June 27, 2023

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Prepared by: Lisa Lew

Date: June 23, 2023

Prepared by: _____

Date: _____

1 [Supporting the Proposed 28th Amendment to the United States Constitution by California
2 Governor Newsom]

3 **Resolution supporting California Governor Gavin Newsom’s proposed 28th**
4 **Amendment to the United States Constitution to enshrine fundamental, broadly**
5 **supported gun safety measures into law.**

6
7 WHEREAS, On June 8, 2023, California Governor Gavin Newsom proposed a 28th
8 Amendment to the United States Constitution, which would enshrine fundamental, broadly
9 supported gun safety measures into federal law; and

10 WHEREAS, California serves as a leader nationally in enacting sensible requirements
11 for obtaining a firearm, such as more comprehensive background checks and stronger
12 prohibition on unserialized weapons, resulting in a 37% lower gun death rate per capita than
13 the national average; and

14 WHEREAS, Gun violence is a national problem requiring a national solution and has
15 significantly increased in recent years, tragically becoming the number one cause of death
16 amongst American children; and

17 WHEREAS, The United States is on pace to reach a record number of mass killings in
18 2023, amounting to more mass shootings than days in the year according to the Gun Violence
19 Archive; and

20 WHEREAS, The majority of deaths associated with gun violence are not mass killings
21 but instead are suicides, and the access to a gun in the home increases the risk of death by
22 suicide by 300%; and

23 WHEREAS, Gun violence touches the lives of nearly all Americans and
24 disproportionately affects communities of color and women survivors of domestic violence as
25

1 these demographics face substantially higher rates of death and injury from firearm-related
2 incidents; and

3 WHEREAS, The proposed constitutional amendment would outlaw the civilian
4 purchase of assault weapons; raise the federal minimum age to purchase a firearm from 18 to
5 21; mandate universal background checks for firearm purchases; and institute a “reasonable
6 waiting period” for all firearm purchases; and

7 WHEREAS, The proposed constitutional amendment would affirm that Congress,
8 states, and local governments can enact additional gun safety regulations that save lives; and

9 WHEREAS, The U.S. Constitution provides that an amendment may be proposed by a
10 two-thirds majority vote in both chambers of Congress or by a constitutional convention called
11 for by two-thirds of the state legislatures; and

12 WHEREAS, California is the first state to call for a constitutional convention to address
13 the nation’s gun violence epidemic; now, therefore, be it

14 RESOLVED, That the City and County of San Francisco hereby supports the proposed
15 28th Amendment to enshrine gun safety measures into the United States’ Constitution and
16 affirm Congress, states, and local governments can enact additional gun safety regulations;
17 and, be it

18 FURTHER RESOLVED, That the City and County of San Francisco recommits to doing
19 everything in its power to advance sensible gun safety laws locally and nationally so that
20 further loss of life can be prevented whenever possible; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the
22 Board to transmit a copy of this Resolution to President Joe Biden, California Governor Gavin
23 Newsom, California Senate President pro Tempore Toni Atkins; California Assembly Speaker
24 Anthony Rendon; the San Francisco Federal Legislative Delegation, and the San Francisco
25 State Legislative Delegation.

Governor Newsom Proposes Historic 28th Amendment to the United States Constitution to End America's Gun Violence Crisis

Published: Jun 08, 2023

Principles of proposed 28th Amendment broadly supported by the American public and gun owners

SACRAMENTO – Today Governor Gavin Newsom proposed a 28th Amendment to the United States Constitution to enshrine fundamental, broadly supported gun safety measures into law. While leaving the 2nd Amendment unchanged and respecting America's gun-owning tradition, the Governor's proposal guarantees common sense constitutional protections and gun safety measures that Democrats, Republicans, independent voters, and gun owners overwhelmingly support – including universal background checks, raising the firearm purchase age to 21, instituting a firearm purchase waiting period, and barring the civilian purchase of assault weapons.

“Our ability to make a more perfect union is literally written into the Constitution,” **said Governor Gavin Newsom**. “So today, I'm proposing the 28th Amendment to the United States Constitution to do just that. The 28th Amendment will enshrine in the Constitution common sense gun safety measures that Democrats, Republicans, Independents, and gun owners overwhelmingly support – while leaving the 2nd Amendment unchanged and respecting America's gun-owning tradition.”

The 28th Amendment will permanently enshrine four broadly supported gun safety principles into the U.S. Constitution:

- Raising the federal minimum age to purchase a firearm from 18 to 21;
- Mandating universal background checks to prevent truly dangerous people from purchasing a gun that could be used in a crime;
- Instituting a reasonable waiting period for all gun purchases; and
- Barring civilian purchase of assault weapons that serve no other purpose than to kill as many people as possible in a short amount of time – weapons of war our nation's founders never foresaw.

Additionally, the 28th Amendment will affirm Congress, states, and local governments can enact additional common-sense gun safety regulations that save lives.

Passage of the 28th Amendment will require a convention to propose amendments to the United States Constitution, also known as an Article V Convention or amendatory convention. Working in partnership with members of the California State Senate and Assembly, California will be the first state in the nation to call for such a convention with a joint resolution being introduced by California State Senator Aisha Wahab and Assemblymember Reggie Jones-Sawyer. The Governor will work with grassroots supporters, elected and civic leaders, and broad and diverse coalitions across the nation to fight for the passage of similar resolutions in other state legislatures to ensure the convening of a constitutional convention limited to this subject. 33 other states, in addition to California, would need to take action to convene such a convention.

“A man of action, Governor Gavin Newsom has the backbone to actually do something about the gun fetish culture around weapons of war, and tackle the relentless problem of gun violence and mass shootings,” **said Senator Aisha Wahab**. “As someone impacted by gun violence, I have an obligation to elevate the voices of victims and those of us left behind in the wake of tragedy.”

“I am proud to introduce this resolution to protect the common sense gun reform legislation our Assembly Public Safety Committee has championed over the years,” **said Assemblymember Reggie Jones-Sawyer**. “We cannot stand idly while courts roll back our work and diminish the ability of our Legislature to keep Californians safe. This bold but fair resolution calls on other states to join us in protecting some of the most effective ways of reducing gun violence.”

With gun violence claiming the lives of [over](#) 110 Americans a day, California’s nation-leading gun safety laws serve as a valuable blueprint for other states and Congress to save lives. California’s gun safety laws [work](#). In its most recent scorecard, California ranked as the #1 state for gun safety by the [Giffords Law Center](#), and according to the most recent data, the state saw a 37% lower gun death rate than the national average. According to the [CDC](#), California’s gun death rate was the 44th lowest in the nation, with 9 gun deaths per 100,000 people – compared to 16.36 deaths per 100,000 nationally, 33.9 in Mississippi, 21.2 in Oklahoma, and 15.6 in Texas.

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From: [Gee, Natalie \(BOS\)](#)
To: [Young, Victor \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Cc: [Donovan, Dominica \(BOS\)](#)
Subject: Please add Sup. Walton to 230736 & 230746
Date: Friday, June 16, 2023 11:12:38 AM

Good morning Victor and Clerk Team,

Please add Supervisor Walton as a co-sponsor to the following files:

- 230736 [Administrative Code - Firearms - Prohibited Places]
- 230746 [Supporting the Proposed 28th Amendment to the United States Constitution by California Governor Newsom]

Thank you!

Natalie Gee 朱凱勤, Chief of Staff

Supervisor Shamann Walton, District 10

1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 282

Direct: 415.554.7672 | **Office:** 415.554.7670

District 10 Community Events Calendar: <https://bit.ly/d10communityevents>

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only