

Maverick GOP senator shoots down pro-gun bill - AvvoStories

Monday, March 28 2016, 9:08 AM



Maverick GOP senator shoots down pro-gun bill

POLITICS, IMMIGRATION, NEWS

Mar 25, 2016

By [Gemma Alexander](#)

◀ 6

Florida might be the last place Americans would expect gun control to take hold, but all pro-gun bills in the Florida legislature were shot down for the current session by the last person you'd expect: a gun-owning, concealed-carry permit-holding Republican. Senator Miguel Diaz de la Portilla is [quoted](#) as saying, "I don't think I'm anti-gun. I'm pro-common sense."

[Florida doesn't have open carry already?](#)

Despite the state's deep red reputation and a solid gun lobby, Florida has some restrictive gun laws. It is one of only four states that completely bans open carry. Concealed weapons permit-holders are still restricted from carrying in schools, bars, polling places, airports, and courtrooms.

How can one senator control the conversation on gun control?

Bills pass through a number of committees before the State Senate can vote on them. The chair of each committee sets the agenda for that committee, and can effectively kill a bill by choosing not to place it on the committee's agenda. In Florida, any gun-related legislation must pass through the Judiciary Committee, which is chaired by Republican Senator Miguel Diaz de la Portilla.

In the current session, Florida lawmakers had proposed several bills that would expand the rights of gun owners, including open carry, campus carry, and one that even called for penalties for any law enforcement officers who "infringe on the rights" of a person carrying a gun (but did not define infringement).

While Diaz de la Portilla is technically within his rights as chairman to refuse to hear any of the bills, many in Florida are criticizing his decision. Some of the bills passed in the House by wide margins and were likely to pass in the Senate as well, if they had been introduced. Critics point out that in light of the bills' popularity, Diaz de la Portilla's action is a subversion of democratic process, and they accuse him of fearing an open discussion of the issue.

Why would a gun-owning Republican oppose open carry anyway?

Diaz de la Portilla represents Miami-Dade County, one of the only blue-leaning districts in Florida, so many are quick to assume that his seemingly inconsistent stance on gun control is pandering. But Diaz de la Portilla has a history of voting outside the Republican box. The senator ran for election on a platform that included funding for mental health programs, improved public infrastructure, and raising the minimum wage (which is \$8.05 in Florida). And he also recently killed two pieces of legislation that were ostensibly intended to slow illegal immigration.

On the snubbed gun bills, Diaz de la Portilla told the *Sun-Sentinel* that the bills are not about gun rights, they are about public safety. Noting opposition from both law enforcement and university administrations, he calls the bills both unnecessary and ineffective—basically, a waste of time.

Instead of arguing the merits of public safety bills that, according to him, actually *diminish* public safety, Diaz de la Portilla wants the Senate to spend its time on bills like the one he sponsored. Nearly 170,000 mentally ill people are arrested each year in Florida; Diaz de la Portilla's bill would establish mental health courts to ensure treatment for those people, keeping them out of the criminal system and reducing crime.

What's next?

Although Diaz de la Portilla was single-handedly able to shoot down open carry laws this year, NRA lobbyists and House Republicans have vowed to renew the bills next year, when a new Senate president will be taking over. It is unlikely that Diaz de la Portilla will continue to hold the agenda-setting position of judiciary committee chair under the new president. If legislators continue to vote along party lines, there is every reason to believe that some sort of open carry law will pass in Florida next year. In the end, Diaz de la Portilla's stand against public arms may only have delayed the inevitable.

Image courtesy of tsra.com

- [The Real Difference Between "PG-13" and "R" Rated Movies - AvvoStories](#)
- [Is El Niño raining on your small business parade? - AvvoStories](#)
- [Can You Be Fired for Discussing Your Salary? - AvvoStories](#)
- [How to tell if your favorite band stole that song - AvvoStories](#)

Recommended by

Tagged [gun control](#), [rights](#)

[Leave a comment](#)