



# Board Agenda Item 4

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DATE: September 5, 2023

TO: Board of Supervisors

SUBMITTED BY: Steve Brandau, Supervisor District 2  
Nathan Magsig, Supervisor District 5

SUBJECT: SJR-7 "Right to Safety Amendment" Opposition Letter

RECOMMENDED ACTION(S):

**Authorize the Board of Supervisors to send a Letter of Opposition to SJR-7 Federal constitutional convention: firearms, also known as the "Right to Safety Amendment".**

Approval of the recommended action would authorize a letter (Exhibit A) to be sent to Governor Gavin Newsom, President pro Tempore Toni Atkins, and Speaker Robert Rivas opposing SJR-7 Federal constitutional convention: firearms, also known as the "Right to Safety Amendment". This item is countywide.

ALTERNATIVE ACTION(S):

The Board may decline to comment on the SJR-7, choose to not send the subject letter, or may direct staff to draft a letter with a different position.

FISCAL IMPACT:

There is no fiscal impact associated with the recommended action.

DISCUSSION:

On June 8, 2023, Governor Gavin Newsom, announced his intent to pursue a 28th amendment to the United States Constitution to enact nationwide firearm regulations. Towards that end, he called for an Article V constitutional convention to amend the Constitution to include the following firearm regulations:

- Raising the federal minimum age to purchase a firearm from 18 to 21.
- Mandating universal background checks.
- Instituting new waiting periods for all gun purchases.
- Barring civilian purchase of "assault weapons".

On August 14, 2023, State Senator Aisha Wahab and Assemblymember Reginald Byron Jones-Sawyer introduced SJR-7 as a joint resolution of the California Legislature to further Governor Newsom's call for a convention. If passed by both chambers, it would formally call on Congress to convene a constitutional convention among states to add a new amendment on these topics. To be called, 33 other states would have to pass a similar resolution.

The Governor's amendment seeks to deprive millions of law-abiding citizens, including active-duty military

members and veterans, of their current rights under the US Constitution. The Governor's pursuit of a national universal background check mandate would massively expand a bureaucracy that has failed to reduce gun crime as intended and will expose tens of millions of citizens, including Fresno County residents, to major invasions of privacy rights. Further, the continued attack on "assault weapons" as a nebulous category of weaponry would confiscate the property of millions of currently legal owners without compensation on the penalty of mass criminalization.

If the Legislature adopts SJR-7, it will call on Congress to convene a constitutional convention among the states to add a new amendment on gun control according to the parameters of the resolution. Under Article V of the US Constitution, a convention shall be called if 33 other states, or two-thirds, pass a similar resolution, which is a significant hurdle. To date, no Article V convention of the states has ever successfully been called. However, while SJR-7 will likely fail to gather enough support to call a constitutional convention, the Board of Supervisors should make its opposition known as the representative advocates for the civil liberties of Fresno County citizens.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A - SJR 7 Opposition Letter

CAO ANALYST:

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