



Arizona House of Representatives
Phoenix, Arizona 85007

November 25, 2024

Via Email and U.S. Mail

sjablow@sedonaaz.gov

Hon. Scott Jablow

Mayor, City of Sedona

102 Roadrunner Dr.

Sedona, AZ 86336

Re: S.B. 1487 Investigation – Sedona Ordinance 12.30.090

Dear Mayor Jablow,

Thank you for your letter dated November 20th. We respectfully disagree with your suggestion that vindicating Arizonans' Second Amendment rights and the rule of law on behalf of our constituents is a waste of anyone's time.

We are pleased, however, to learn that the outdated (and admittedly unenforceable) firearms Ordinance is scheduled to be significantly amended at a City Council meeting on December 10th. As you know, after we alerted you to the legal problems with the Ordinance on October 9th, the City Council met five times. And the next regularly-scheduled meeting will take place tomorrow, November 26th. But the Ordinance was not placed on any of those six agendas. The Council had ample time to fix the blatantly illegal Ordinance, which would have obviated the need to invoke the Attorney General's authority.

In any event, the Attorney General's Office recently shared with us your office's draft language of the proposed amendments to the Ordinance. Although the draft language is certainly an improvement, the proposed language in subsection B (which addresses some lawful exemptions for discharging a firearm) is incomplete. As written, the text encompasses only self-defense and defense-of-a-third-person. We urge you to review chapter 4 of Title 13, which governs all justification defenses in Arizona, including the crime-prevention defense and other statutory defenses. Instead of attempting to list all of the hypothetical situations in which an individual's discharge of a firearm may be lawful, we suggest that it would be legally accurate if subsection B is modified as follows: "IT SHALL BE UNLAWFUL TO DISCHARGE ANY FIREARM OR OTHER WEAPON IN WHICH THE PROPELLING FORCE IS GUNPOWDER UNLESS THE PERSON ACTED WITH JUSTIFICATION PURSUANT TO A.R.S., TITLE 13, CHAPTER 4."

We obviously welcome your thoughts about this proposed change to subsection B while we continue our internal legal analysis of the draft. If we identify any other issues relating to the legality of the proposed changes to the Ordinance, we will promptly communicate with you and the Attorney General's Office.

It is an extremely busy time of year as we are meeting with constituents daily, conducting other legislative investigations, and drafting bills for the upcoming legislative session. Nonetheless, protecting constitutional rights is a top priority. We are optimistic that we can reach a mutually acceptable resolution of the pending S.B. 1487 investigation before the Council's meeting on December 10th and before the Attorney General's report deadline on December 18th.

Respectfully,



Quang Nguyen
Representative, LD1



Selina Bliss
Representative, LD1

cc: Arizona Attorney General Kris Mayes