

HB 935

2016

1 A bill to be entitled

2 An act relating to concealed weapon or firearm  
3 licensees; amending s. 790.06, F.S.; requiring a  
4 concealed weapon or firearm licensee to provide  
5 certain information and display the license and proper  
6 identification when approached by a first responder;  
7 increasing the fine amount for a violation of such  
8 requirement; specifying requirements for firearm  
9 safety and training courses; requiring firearm course  
10 instructors to maintain records attesting to the use  
11 of live fire with specified firearms and ammunition by  
12 students in his or her physical presence; requiring  
13 that a license be suspended or revoked upon a second  
14 or subsequent violation of such requirement; providing  
15 an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19 Section 1. Subsection (1) and paragraph (h) of subsection  
20 (2) of section 790.06, Florida Statutes, are amended, and  
21 paragraph (i) is added to subsection (10) of that section, to  
22 read:

23 790.06 License to carry concealed weapon or firearm.—

24 (1) The Department of Agriculture and Consumer Services is  
25 authorized to issue licenses to carry concealed weapons or  
26 concealed firearms to persons qualified as provided in this

27 | section. Each such license must bear a color photograph of the  
 28 | licensee. For ~~the~~ purposes of this section, the term "concealed  
 29 | weapons or concealed firearms" means ~~are defined as~~ a handgun,  
 30 | electronic weapon or device, tear gas gun, knife, or billie, but  
 31 | the term does not include a machine gun as defined in s.  
 32 | 790.001(9). Such licenses shall be valid throughout the state  
 33 | for a period of 7 years after ~~from~~ the date of issuance. A ~~Any~~  
 34 | person in compliance with the terms of such license may carry a  
 35 | concealed weapon or concealed firearm notwithstanding the  
 36 | provisions of s. 790.01. The licensee must carry the license,  
 37 | together with valid identification, at all times in which the  
 38 | licensee is in actual possession of a concealed weapon or  
 39 | firearm. The licensee must state that he or she is in possession  
 40 | of a concealed weapon or firearm and ~~must~~ display both the  
 41 | license and proper identification when approached by or upon  
 42 | demand by a first responder as defined in s. 112.1815 ~~law~~  
 43 | ~~enforcement officer.~~ A violation ~~Violations of the provisions of~~  
 44 | this subsection constitutes ~~shall constitute~~ a noncriminal  
 45 | violation with a penalty of \$1,000 ~~\$25~~, payable to the clerk of  
 46 | the court.

47 | (2) The Department of Agriculture and Consumer Services  
 48 | shall issue a license if the applicant:

49 | (h) Demonstrates competence with a firearm by any one of  
 50 | the following:

51 | 1. Completion of any hunter education or hunter safety  
 52 | course approved by the Fish and Wildlife Conservation Commission

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53 or a similar agency of another state;

54 2. Completion of any National Rifle Association firearms  
55 safety or training course;

56 3. Completion of any firearms safety or training course or  
57 class available to the general public offered by a law  
58 enforcement, junior college, college, or private or public  
59 institution or organization or firearms training school,  
60 utilizing instructors certified by the National Rifle  
61 Association, Criminal Justice Standards and Training Commission,  
62 or the Department of Agriculture and Consumer Services;

63 4. Completion of any law enforcement firearms safety or  
64 training course or class offered for security guards,  
65 investigators, special deputies, or any division or subdivision  
66 of law enforcement or security enforcement;

67 5. Presents evidence of equivalent experience with a  
68 firearm through participation in organized shooting competition  
69 or military service;

70 6. Is licensed or has been licensed to carry a firearm in  
71 this state or a county or municipality of this state, unless  
72 such license has been revoked for cause; or

73 7. Completion of any firearms safety or training ~~or safety~~  
74 course or class conducted by a state-certified or National Rifle  
75 Association certified firearms instructor;

76

77 Any course or class under this paragraph must include a minimum  
78 of 6 hours of certified firearm training and 6 hours of gun

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79 safety education. A photocopy of a certificate of completion of  
80 any of the courses or classes; ~~or~~ an affidavit from the  
81 instructor, school, club, organization, or group that conducted  
82 or taught such ~~said~~ course or class attesting to the completion  
83 of the course or class by the applicant; or a copy of any  
84 document that ~~which~~ shows completion of the course or class or  
85 evidences participation in firearms competition shall constitute  
86 evidence of qualification under this paragraph. ~~A;~~ ~~any~~ person  
87 who conducts a course or class pursuant to subparagraph 2.,  
88 subparagraph 3., or subparagraph 7., or who, as an instructor,  
89 attests to the completion of such course or class ~~courses~~, must  
90 maintain records certifying that he or she observed the student  
91 safely handle and discharge the firearm in his or her physical  
92 presence and that the discharge of the firearm included live  
93 fire using a firearm and ammunition as defined in s. 790.001;

94 (10) A license issued under this section shall be  
95 suspended or revoked pursuant to chapter 120 if the licensee:  
96 (i) Commits a second or subsequent violation of subsection  
97 (1).

98 Section 2. This act shall take effect July 1, 2016.