

## Committee on Criminal Justice

### **CS/CS/SB 234 — Firearms**

by Rules Committee; Criminal Justice Committee; and Senators Evers, Dockery, Lynn, Hays, Norman, Negron, Garcia, and Altman

This bill modifies s. 790.053, F.S., the provision that prohibits carrying a firearm openly, to eliminate the violation of this law for persons who are lawfully carrying a concealed firearm which is briefly displayed, openly, to the ordinary sight of another person.

However, if the firearm is displayed in an angry or threatening manner, not in necessary self-defense, this would still constitute a violation of s. 790.053, F.S., which is a second degree misdemeanor.

The bill allows the Division of Licensing of the Department of Agriculture to administer the fingerprinting of applicants for licenses to carry concealed weapons or firearms.

The bill also clarifies s. 790.06, F.S., by stating that persons licensed to carry a concealed firearm are not prohibited from carrying or storing a firearm in a vehicle for lawful purposes. The bill specifies that the section of law that allows the prohibition of firearms on the properties listed in s. 790.251(7), F.S., is not modified by s. 790.06, F.S. These properties are listed in s. 790.251(7)(a)-(g), F.S., as follows:

- Any school property as defined and regulated under s. 790.115, F.S.
- Any correctional institution regulated under s. 944.47, F.S., or chapter 957, F.S.
- Any property where a nuclear-powered electricity generation facility is located.
- Property owned or leased by a public or private employer or the landlord of a public or private employer upon which are conducted substantial activities involving national defense, aerospace, or homeland security.
- Property owned or leased by a public or private employer or the landlord of a public or private employer upon which the primary business conducted is the manufacture, use, storage, or transportation of combustible or explosive materials regulated under state or federal law, or property owned or leased by an employer who has obtained a permit required under 18 U.S.C. s. 842 to engage in the business of importing, manufacturing, or dealing in explosive materials on such property.
- A motor vehicle owned, leased, or rented by a public or private employer or the landlord of a public or private employer.
- Any other property owned or leased by a public or private employer or the landlord of a public or private employer upon which possession of a firearm or other legal product by a customer, employee, or invitee is prohibited pursuant to any federal law, contract with a federal government entity, or general law of this state.

Finally, the bill amends s. 790.065, F.S., to clarify that residents of Florida can lawfully purchase, trade, or transfer a rifle or shotgun in another state. Florida residents have been limited

to the purchase, trade, or transfer of those types of firearms in states that are contiguous to Florida.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 26-11; House 99-17*