Florida Senate - 2007

By Senator Wilson

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33-1212-07
 1
                        A bill to be entitled
 2
           An act relating to firearms; creating s.
 3
           790.222, F.S.; defining the term "semiautomatic
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           assault firearm"; prohibiting the manufacture,
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           transfer, or possession of a semiautomatic
 б
           assault firearm; providing exceptions;
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           providing an effective date.
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   Be It Enacted by the Legislature of the State of Florida:
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           Section 1. Section 790.222, Florida Statutes, is
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    created to read:
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           790.222 Manufacture, transfer, or possession of a
    semiautomatic assault firearm prohibited .--
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          (1)(a) As used in this section, the term
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16 "semiautomatic assault firearm" means a firearm that is
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   capable of firing a series of rounds by separate successive
   depressions of the trigger and that uses the energy of
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    discharge to perform a portion of the operating cycle.
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          (b) The term "semiautomatic assault firearm" does not
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   mean:
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           1. A firearm that:
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           a. Is manually operated by bolt, pump, lever, or slide
    action;
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           b. Has been rendered permanently inoperable; or
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           c. Is an antique firearm.
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           2. A semiautomatic rifle that cannot accept a
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   detachable magazine that holds more than five rounds of
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   ammunition; or
           3. A semiautomatic shotgun that cannot hold more than
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   five rounds of ammunition in a fixed or detachable magazine.
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1 (2) A person may not manufacture, transfer, or have in his or her care, custody, possession, or control a 2 semiautomatic assault firearm in this state. 3 4 (3) Subsection (2) does not apply to the possession or transfer of a semiautomatic assault firearm otherwise lawfully 5 6 possessed under state or federal law on the effective date of 7 this act. (4) Subsection (2) does not apply to: 8 9 (a) The manufacture for, transfer to, or possession of 10 a semiautomatic assault firearm by a department or agency of the United States; by a department, agency, or political 11 12 subdivision of a state; or by a law enforcement officer employed by such an entity for purposes of law enforcement, 13 whether on or off duty; 14 (b) The transfer of a semiautomatic assault firearm to 15 a licensee under Title I of the Atomic Energy Act of 1954 for 16 17 purposes of establishing and maintaining an on-site physical 18 protection system and security organization required by federal law, or possession by an employee or contractor of the 19 licensee on site for such purposes or off site for purposes of 20 21 licensee-authorized training or transportation of nuclear 2.2 materials; 23 (c) The possession, by a person who is retired from service with a law enforcement agency and is not otherwise 2.4 prohibited from receiving a firearm, of a semiautomatic 25 assault weapon transferred to the person by the agency upon 26 27 the person's retirement; or 2.8 (d) The manufacture, transfer, or possession of a semiautomatic assault weapon by a licensed manufacturer or 29 30 licensed importer for the purposes of testing or 31

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SB 2266

experimentation authorized by the Attorney General of the United States. Section 2. This act shall take effect upon becoming a law. SENATE SUMMARY Defines the term "semiautomatic assault firearm." Prohibits the manufacture, transfer, or possession of a semiautomatic assault firearm. Provides exceptions.

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