

1 A bill to be entitled

2 An act relating to licensure to carry a concealed
3 weapon or firearm; amending s. 790.06, F.S.;
4 authorizing an applicant for a license to carry a
5 concealed weapon or firearm to submit the application
6 to an appointed tax collector; creating s. 790.0625,
7 F.S.; defining terms; authorizing the Department of
8 Agriculture and Consumer Services to appoint tax
9 collectors to accept applications for new or renewal
10 licenses to carry a concealed weapon or firearm on
11 behalf of the Division of Licensing of the Department
12 of Agriculture and Consumer Services; requiring a tax
13 collector seeking appointment to submit a written
14 request to the division; providing requirements for
15 the request; requiring the division and an appointed
16 tax collector to enter into a memorandum of
17 understanding; authorizing the department or the
18 division to rescind a memorandum of understanding at
19 any time; providing that certain personal identifying
20 information of applicants for licensure is
21 confidential and exempt; establishing license fees for
22 new and renewal applications; requiring an appointed
23 tax collector to remit fees to the department;
24 prohibiting a tax collector from maintaining a list or
25 record of concealed weapon or firearm licensees or
26 applicants; prohibiting a person from processing a

27 | concealed weapon or firearm application for a fee or
 28 | compensation unless he or she has been appointed by
 29 | the department to do so; providing for criminal
 30 | penalties; providing an appropriation and authorizing
 31 | positions; providing an effective date.

32 |
 33 | Be It Enacted by the Legislature of the State of Florida:

34 |
 35 | Section 1. Subsection (5) of section 790.06, Florida
 36 | Statutes, is amended to read:

37 | 790.06 License to carry concealed weapon or firearm.—

38 | (5) The applicant shall submit to the Department of
 39 | Agriculture and Consumer Services or an approved tax collector
 40 | pursuant to s. 790.0625:

41 | (a) A completed application as described in subsection
 42 | (4).

43 | (b) A nonrefundable license fee of up ~~not to exceed~~ \$70,
 44 | if he or she has not previously been issued a statewide license,
 45 | or of up ~~a nonrefundable license fee not to exceed~~ \$60 for
 46 | renewal of a statewide license. The cost of ~~Costs for~~ processing
 47 | ~~the set of~~ fingerprints as required in paragraph (c) shall be
 48 | borne by the applicant. However, an individual holding an active
 49 | certification from the Criminal Justice Standards and Training
 50 | Commission as a "law enforcement officer," "correctional
 51 | officer," or "correctional probation officer" as defined in s.
 52 | 943.10(1), (2), (3), (6), (7), (8), or (9) is exempt from the

53 licensing requirements of this section. If such ~~any~~ individual
54 ~~holding an active certification from the Criminal Justice~~
55 ~~Standards and Training Commission as a "law enforcement~~
56 ~~officer," a "correctional officer," or a "correctional probation~~
57 ~~officer" as defined in s. 943.10(1), (2), (3), (6), (7), (8), or~~
58 ~~(9)~~ wishes to receive a concealed weapons or firearms license,
59 he or she ~~such person~~ is exempt from the background
60 investigation and all background investigation fees, but must
61 ~~shall~~ pay the current license fees regularly required to be paid
62 by nonexempt applicants. Further, a law enforcement officer, a
63 correctional officer, or a correctional probation officer as
64 defined in s. 943.10(1), (2), or (3) is exempt from the required
65 fees and background investigation for a period of 1 year after
66 his or her ~~subsequent to the date of retirement of said officer~~
67 ~~as a law enforcement officer, a correctional officer, or a~~
68 ~~correctional probation officer.~~

69 (c) A full set of fingerprints of the applicant
70 administered by a law enforcement agency or the Division of
71 Licensing of the Department of Agriculture and Consumer Services
72 or an approved tax collector pursuant to s. 790.0625.

73 (d) A photocopy of a certificate, or an affidavit, or
74 document as described in paragraph (2)(h).

75 (e) A full frontal view color photograph of the applicant
76 taken within the preceding 30 days, in which the head, including
77 hair, measures 7/8 of an inch wide and 1 1/8 inches high.

78 Section 2. Section 790.0625, Florida Statutes, is created

79 to read:

80 790.0625 Appointment of tax collectors to accept
 81 applications for a concealed weapon or firearm license; fees;
 82 penalties.-

83 (1) As used in this section, the term:

84 (a) "Department" means the Department of Agriculture and
 85 Consumer Services.

86 (b) "Division" means the Division of Licensing of the
 87 Department of Agriculture and Consumer Services.

88 (2) The department, at its discretion, may appoint tax
 89 collectors, as defined in s. 1(d) of Art. VIII of the State
 90 Constitution, to accept applications on behalf of the division
 91 for concealed weapon or firearm licenses. Such appointment shall
 92 be for specified locations that will best serve the public
 93 interest and convenience in applying for these licenses.

94 (3) A tax collector seeking to be appointed to accept
 95 applications for new or renewal concealed weapon or firearm
 96 licenses must submit a written request to the division stating
 97 his or her name, address, telephone number, each location within
 98 the county at which the tax collector wishes to accept
 99 applications, and other information as required by the division.

100 (a) Upon receipt of a written request, the division shall
 101 review it and at its discretion may decline to enter into a
 102 memorandum of understanding or, if approved, enter into a
 103 memorandum of understanding with the tax collector to accept
 104 applications for new or renewal concealed weapon or firearm

105 licenses on behalf of the department.

106 (b) The department or the division may rescind a
107 memorandum of understanding for any reason at any time.

108 (4) All personal identifying information that is provided
109 pursuant to s. 790.06 and contained in the records of a tax
110 collector appointed under this section is confidential and
111 exempt as provided in s. 790.0601.

112 (5) A tax collector appointed under this section may
113 collect and retain a convenience fee of \$22 for each new
114 application and \$12 for each renewal application and shall remit
115 weekly to the department the license fees pursuant to s. 790.06
116 for deposit in the Division of Licensing Trust Fund.

117 (6) (a) A tax collector appointed under this section may
118 not maintain a list or record of persons who apply for or are
119 granted a new or renewal license to carry a concealed weapon or
120 firearm. A violation of this paragraph is subject to s. 790.335.

121 (b) A person may not handle an application for a concealed
122 weapon or firearm for a fee or compensation of any kind unless
123 he or she has been appointed by the department to do so.

124 (7) A person who willfully violates this section commits a
125 misdemeanor of the second degree, punishable as provided in s.
126 775.082 or s. 775.083.

127 Section 3. For the 2014-2015 fiscal year, the sums of
128 \$736,608 in recurring and \$105,503 in nonrecurring funds from
129 the Division of Licensing Trust Fund are appropriated to the
130 Department of Agriculture and Consumer Services, and 11 full-

CS/CS/HB 523

2014

131 time equivalent positions with associated salary rate of 295,751
132 are authorized, for the purpose of implementing this act.

133 Section 4. This act shall take effect July 1, 2014.