

By the Committee on Governmental Oversight and Accountability;  
and Senator Steube

585-02737-17

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1                   A bill to be entitled  
2           An act relating to concealed weapons or firearms;  
3           amending s. 790.06, F.S.; authorizing a concealed  
4           weapons or concealed firearms licensee to temporarily  
5           surrender a weapon or firearm if the licensee  
6           approaches courthouse security or management personnel  
7           upon arrival and follow their instructions; defining  
8           the term "courthouse"; providing that inconsistent  
9           definitions are preempted to the Legislature;  
10          subjecting the persons or entities responsible for  
11          enacting, or causing the enforcement of, an  
12          inconsistent definition to specified penalties;  
13          providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

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17          Section 1. Present subsection (17) of section 790.06,  
18 Florida Statutes, is redesignated as subsection (18), a new  
19 subsection (17) is added to that section, and paragraph (a) of  
20 subsection (12) of that section is amended, to read:

21          790.06 License to carry concealed weapon or firearm.—

22          (12) (a) A license issued under this section does not  
23 authorize any person to openly carry a handgun or carry a  
24 concealed weapon or firearm into:

25               1. Any place of nuisance as defined in s. 823.05;

26               2. Any police, sheriff, or highway patrol station;

27               3. Any detention facility, prison, or jail;

28               4. Any courthouse, except when a licensee approaches  
29 security or management personnel upon arrival at a courthouse

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30 and notifies them of the presence of the weapon or firearm and  
31 follows the security or management personnel's instructions for  
32 removing, securing, and storing such weapon or firearm, or when  
33 the licensee temporarily surrenders such weapon or firearm to  
34 the security or management personnel, who shall store the weapon  
35 or firearm in a locker, safe, or other secure location and  
36 return the weapon or firearm to the licensee when he or she is  
37 exiting the courthouse;

38 5. Any courtroom, except that nothing in this section would  
39 preclude a judge from carrying a concealed weapon or determining  
40 who will carry a concealed weapon in his or her courtroom;

41 6. Any polling place;

42 7. Any meeting of the governing body of a county, public  
43 school district, municipality, or special district;

44 8. Any meeting of the Legislature or a committee thereof;

45 9. Any school, college, or professional athletic event not  
46 related to firearms;

47 10. Any elementary or secondary school facility or  
48 administration building;

49 11. Any career center;

50 12. Any portion of an establishment licensed to dispense  
51 alcoholic beverages for consumption on the premises, which  
52 portion of the establishment is primarily devoted to such  
53 purpose;

54 13. Any college or university facility unless the licensee  
55 is a registered student, employee, or faculty member of such  
56 college or university and the weapon is a stun gun or nonlethal  
57 electric weapon or device designed solely for defensive purposes  
58 and the weapon does not fire a dart or projectile;

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59           14. The inside of the passenger terminal and sterile area  
60 of any airport, provided that no person shall be prohibited from  
61 carrying any legal firearm into the terminal, which firearm is  
62 encased for shipment for purposes of checking such firearm as  
63 baggage to be lawfully transported on any aircraft; or

64           15. Any place where the carrying of firearms is prohibited  
65 by federal law.

66           (17) (a) As used in this section, the term "courthouse"  
67 means a building in which trials and hearings are conducted on a  
68 regular basis. If a building is used primarily for purposes  
69 other than the conduct of hearings and trials and housing  
70 judicial chambers, the term includes only that portion of the  
71 building that is primarily used for hearings and trials and  
72 judicial chambers.

73           (b) A local ordinance, administrative rule, administrative  
74 order, or regulation that is in conflict with the definition of  
75 the term "courthouse" in this subsection or the rights set forth  
76 under subparagraph (12) (a)4. is preempted to the Legislature  
77 under s. 790.33. The person, justice, judge, county, agency,  
78 municipality, district, or other entity that enacts or causes to  
79 be enforced a local ordinance, administrative rule,  
80 administrative order, or regulation that is preempted is subject  
81 to the penalties set forth in s. 790.33, including, but not  
82 limited to, civil fines and removal from office by the Governor.

83           Section 2. This act shall take effect upon becoming a law.