

By Senator Steube

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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.; prohibiting a concealed  
4           weapons or concealed firearms licensee from carrying a  
5           concealed weapon or firearm into any athletic event  
6           for a K-12 school, college, or university which is not  
7           related to firearms; authorizing a concealed weapons  
8           or concealed firearms licensee to carry a concealed  
9           weapon or firearm into any college or university  
10          facility; deleting an exception authorizing a student,  
11          employee, or faculty licensee to carry specified  
12          nonlethal weapons; amending s. 790.115, F.S.;  
13          conforming a provision to changes made by the act;  
14          conforming a cross-reference; amending s. 1001.64,  
15          F.S.; authorizing each board of trustees of Florida  
16          College System institutions to place restrictions on  
17          the unlawful use or possession of firearms or weapons;  
18          amending s. 1001.706, F.S.; authorizing the Board of  
19          Governors to place restrictions on the unlawful use or  
20          possession of firearms or weapons; providing an  
21          effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

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25           Section 1. Subsection (12) of section 790.06, Florida  
26           Statutes, is amended to read:

27           790.06 License to carry concealed weapon or firearm.—

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

- 31           1. Any place of nuisance as defined in s. 823.05;  
32           2. Any police, sheriff, or highway patrol station;

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- 33           3. Any detention facility, prison, or jail;
- 34           4. Any courthouse;
- 35           5. Any courtroom, except that nothing in this section would  
36 preclude a judge from carrying a concealed weapon or determining  
37 who will carry a concealed weapon in his or her courtroom;
- 38           6. Any polling place;
- 39           7. Any meeting of the governing body of a county, public  
40 school district, municipality, or special district;
- 41           8. Any meeting of the Legislature or a committee thereof;
- 42           9. Any ~~school, college, or~~ professional athletic event not  
43 related to firearms or any athletic event for a K-12 school,  
44 college, or university which is not related to firearms;
- 45           10. Any elementary or secondary school facility or  
46 administration building;
- 47           11. Any career center;
- 48           12. Any portion of an establishment licensed to dispense  
49 alcoholic beverages for consumption on the premises, which  
50 portion of the establishment is primarily devoted to such  
51 purpose;
- 52           13. ~~Any college or university facility unless the licensee  
53 is a registered student, employee, or faculty member of such  
54 college or university and the weapon is a stun gun or nonlethal  
55 electric weapon or device designed solely for defensive purposes  
56 and the weapon does not fire a dart or projectile;~~
- 57           14. The inside of the passenger terminal and sterile area  
58 of any airport, provided that no person shall be prohibited from  
59 carrying any legal firearm into the terminal, which firearm is  
60 encased for shipment for purposes of checking such firearm as  
61 baggage to be lawfully transported on any aircraft; or

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62       ~~14.15.~~ Any place where the carrying of firearms is  
63 prohibited by federal law.

64       (b) A person licensed under this section is not ~~shall not~~  
65 ~~be~~ prohibited from carrying or storing a firearm in a vehicle  
66 for lawful purposes.

67       (c) This section does not modify the terms or conditions of  
68 s. 790.251(7).

69       (d) Any person who knowingly and willfully violates any  
70 provision of this subsection commits a misdemeanor of the second  
71 degree, punishable as provided in s. 775.082 or s. 775.083.

72       Section 2. Subsection (2) of section 790.115, Florida  
73 Statutes, is amended to read:

74       790.115 Possessing or discharging weapons or firearms at a  
75 school-sponsored event or on school property prohibited;  
76 penalties; exceptions.—

77       (2) (a) 1. A person may ~~shall~~ not possess any firearm,  
78 electric weapon or device, destructive device, or other weapon  
79 as defined in s. 790.001(13), including a razor blade or box  
80 cutter, except as authorized in support of school-sanctioned  
81 activities, at a school-sponsored event or on the property of  
82 any school, school bus, or school bus stop. ~~+~~ However, a person  
83 may carry a firearm:

84       a.1. ~~In a case to a firearms program, class,~~ or function  
85 that ~~which~~ has been approved in advance by the principal or  
86 chief administrative officer of the school as a program or class  
87 to which firearms could be carried;

88       b.2. In a case to a career center having a firearms  
89 training range; or

90       c.3. In a vehicle pursuant to s. 790.25(5); except that

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91 school districts may adopt written and published policies that  
92 waive the exception in this subparagraph for purposes of student  
93 and campus parking privileges.

94 2. The restrictions in subparagraph (a)1. do not apply at a  
95 college or university facility to the possession of a concealed  
96 weapon or firearm or electric weapon or device by a person who  
97 has a concealed weapon or firearm license.

98

99 For the purposes of this section, "school" means any preschool,  
100 elementary school, middle school, junior high school, secondary  
101 school, career center, or postsecondary school, whether public  
102 or nonpublic.

103 (b) A person who willfully and knowingly possesses any  
104 electric weapon or device, destructive device, or other weapon  
105 as defined in s. 790.001(13), including a razor blade or box  
106 cutter, except as authorized in support of school-sanctioned  
107 activities, in violation of this subsection commits a felony of  
108 the third degree, punishable as provided in s. 775.082, s.  
109 775.083, or s. 775.084.

110 (c)1. A person who willfully and knowingly possesses any  
111 firearm in violation of this subsection commits a felony of the  
112 third degree, punishable as provided in s. 775.082, s. 775.083,  
113 or s. 775.084.

114 2. A person who stores or leaves a loaded firearm within  
115 the reach or easy access of a minor who obtains the firearm and  
116 commits a violation of subparagraph 1. commits a misdemeanor of  
117 the second degree, punishable as provided in s. 775.082 or s.  
118 775.083; except that this does not apply if the firearm was  
119 stored or left in a securely locked box or container or in a

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120 location which a reasonable person would have believed to be  
121 secure, or was securely locked with a firearm-mounted push-  
122 button combination lock or a trigger lock; if the minor obtains  
123 the firearm as a result of an unlawful entry by any person; or  
124 to members of the Armed Forces, National Guard, or State  
125 Militia, or to police or other law enforcement officers, with  
126 respect to firearm possession by a minor which occurs during or  
127 incidental to the performance of their official duties.

128 (d) A person who discharges any weapon or firearm while in  
129 violation of subparagraph (a)1. ~~paragraph (a)~~, unless discharged  
130 for lawful defense of himself or herself or another or for a  
131 lawful purpose, commits a felony of the second degree,  
132 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

133 (e) The penalties of this subsection do ~~shall~~ not apply to  
134 persons licensed under s. 790.06. Persons licensed under s.  
135 790.06 shall be punished as provided in s. 790.06(12), except  
136 that a licenseholder who unlawfully discharges a weapon or  
137 firearm on school property as prohibited by this subsection  
138 commits a felony of the second degree, punishable as provided in  
139 s. 775.082, s. 775.083, or s. 775.084.

140 Section 3. Subsection (5) of section 1001.64, Florida  
141 Statutes, is amended to read:

142 1001.64 Florida College System institution boards of  
143 trustees; powers and duties.—

144 (5) Each board of trustees shall have responsibility for  
145 the use, maintenance, protection, and control of Florida College  
146 System institution owned or Florida College System institution  
147 controlled buildings and grounds, property and equipment, name,  
148 trademarks and other proprietary marks, and the financial and

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149 other resources of the Florida College System institution. Such  
150 authority may include placing restrictions on activities and on  
151 access to facilities, the unlawful use or possession of firearms  
152 or weapons, food, tobacco, alcoholic beverages, distribution of  
153 printed materials, commercial solicitation, animals, and sound.

154 Section 4. Paragraph (b) of subsection (7) of section  
155 1001.706, Florida Statutes, is amended to read:

156 1001.706 Powers and duties of the Board of Governors.—

157 (7) POWERS AND DUTIES RELATING TO PROPERTY.—

158 (b) The Board of Governors shall develop guidelines for  
159 university boards of trustees relating to the use, maintenance,  
160 protection, and control of university-owned or university-  
161 controlled buildings and grounds, property and equipment, name,  
162 trademarks and other proprietary marks, and the financial and  
163 other resources of the university. Such authority may include  
164 placing restrictions on activities and on access to facilities,  
165 the unlawful use or possession of firearms or weapons, food,  
166 tobacco, alcoholic beverages, distribution of printed materials,  
167 commercial solicitation, animals, and sound. The authority  
168 provided the board of trustees in this subsection includes the  
169 prioritization of the use of space, property, equipment, and  
170 resources and the imposition of charges for those items.

171 Section 5. This act shall take effect July 1, 2017.