

By Senator Steube

23-00016-18

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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 follows their instructions; defining  
8           the term "courthouse"; preempting certain ordinances,  
9           rules, orders, and regulations that conflict with that  
10          definition or with certain rights; subjecting the  
11          persons or entities responsible for enacting, or  
12          causing the enforcement of, preempted ordinances,  
13          rules, orders, and regulations to specified penalties;  
14          providing an effective date.

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

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

22           790.06 License to carry concealed weapon or firearm.—

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

- 26           1. Any place of nuisance as defined in s. 823.05;  
27           2. Any police, sheriff, or highway patrol station;  
28           3. Any detention facility, prison, or jail;  
29           4. Any courthouse, except when a licensee approaches

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

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

42 6. Any polling place;

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

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

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

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

50 11. Any career center;

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

55 13. Any college or university facility unless the licensee  
56 is a registered student, employee, or faculty member of such  
57 college or university and the weapon is a stun gun or nonlethal  
58 electric weapon or device designed solely for defensive purposes

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59 and the weapon does not fire a dart or projectile;

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

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

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

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

84 Section 2. This act shall take effect July 1, 2018.