Representative Smith offered the following:

Amendment (with title amendment)

Between lines 688 and 689, insert:

Section 12. Section 790.0651, Florida Statutes, is created to read:

790.0651 Firearms dealer security.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Firearms dealer" means a dealer federally-licensed to sell firearms who operates a retail business in which firearms are sold from a permanent business location other than the dealer's home.
(b) "Secure facility" means a building that meets all of the following specifications:

1. All perimeter doorways are equipped with one of the following:
   a. A windowless steel security door equipped with both a dead bolt and a doorknob lock;
   b. A windowed metal door that is equipped with both a dead bolt and a doorknob lock. If the window has an opening of 5 inches or more measured in any direction, the window must be covered with steel bars that are at least one-half inch in diameter or covered with metal grating that is at least 9 gauge affixed to the exterior or interior of the door; or
   c. A metal grate that is padlocked and affixed to the firearms dealer's premises independent of the door and doorframe.

2. All windows are covered with steel bars.

3. Heating, ventilating, air-conditioning, and service openings are secured with steel bars, metal grating, or an alarm system.

4. Metal grates have spaces no larger than 6 inches wide measured in any direction.

5. Metal screens have spaces no larger than 3 inches wide measured in any direction.

6. All steel bars are no further than 6 inches apart.

(2) SECURITY MEASURES REQUIRED.
(a) When a firearms dealer is not open for business, each firearm in the firearms dealer's business premises must be secured by storing the firearm in a secure facility that is part of, or that constitutes, the firearms dealer's business premises.

(b) In addition to the required security measures in paragraph (a):

1. Unless the firearms dealer complies with paragraph (c), each firearm on a firearms dealer's business premises must be:
   a. Secured with a hardened steel rod or cable that is at least one-eighth inch in diameter through the trigger guard of the firearm. The steel rod or cable must be secured with a hardened steel lock that has a shackle. The lock and shackle must be protected or shielded from the use of a boltcutter, and the rod or cable must be anchored in a manner that prevents the removal of the firearm from the premises;
   b. Stored in a locked fireproof safe or vault on the firearms dealer's business premises;
   c. Stored in a display case that is made with a steel frame that is at least 12 gauge, is fitted with a hardened steel lock where the case opens to access the firearm, and is fitted with:
      (I) Smash-proof polycarbonate panels that are at least one-quarter inch thick; or
(II) Glass that is protected with a security or protective laminate film that is specifically designed to delay entry and unauthorized access, that is at least 8 mils (eight-thousandths of an inch thick, and that includes an anchoring system on all seams of each glass panel and is also anchored to the frame.

d. Stored in a windowless room that is equipped with a steel security door fitted with a deadbolt lock and that does not have a door exposed to the outside of the building;

e. Stored behind a steel roll-down door or security gate;

or

f. Secured with a hardened steel bar in a locked steel gun rack.

2. For street-level firearms dealers:

a. If the firearms dealer uses the method described in sub-subparagraph (b)1.a. and the firearms dealer's business location is at street level, the firearms dealer shall install, or cause to be installed, concrete or hardened steel bollards, or other barriers with a similar structural integrity of bollards, to protect the location's front entrance, any floor-to-ceiling windows, and any other doors that could be breached by a vehicle. The bollards must meet the following requirements:

(I) Be at least 4 inches in diameter and 36 inches in height from the ground.

(II) Be spaced so as not to obstruct accessible routes or accessible means of egress in compliance with Standard 206.8 of
Chapter 2 of the Americans with Disabilities Act of 1990, 42 U.S.C. ss. 12101 et seq., and have a clear width of at least 36 inches but no more than 60 inches.

(III) Be capable of stopping a 5,000 pound vehicle traveling at 30 miles per hour, in compliance with ASTM International Standard Test Method F3016.

b. This subparagraph does not apply to elevated loading docks, to locations of a firearms dealer's premises that are fitted with steel roll-down doors, or to a firearms dealer who is unable to comply due to local ordinances, covenants, lease conditions, or similar conditions not under the control of the firearms dealer.

c. Bollards installed before July 1, 2018, are considered compliant with this section if they are composed of concrete or hardened steel, do not obstruct accessible routes or accessible means of egress in compliance with Standard 206.8 of Chapter 2 of the Americans with Disabilities Act of 1990, 2 U.S.C. ss. 12101 et seq., and have a clear width of at least 36 inches but no more than 60 inches.

(c) Unless the firearms dealer complies with paragraph (b), the firearms dealer shall install locking steel roll-down doors on any perimeter doors and floor-to-ceiling windows. Emergency exits are exempt from this requirement where installation would be in violation of a state or local fire code.
(d) Except as provided in sub-subparagraph (b)2.b., upon written request from a firearms dealer, the Department of Law Enforcement may grant an exemption from compliance with the requirements of paragraph (a), paragraph (b), or paragraph (c), in any combination, if the firearms dealer presents evidence that he or she is unable to comply with such requirements because of a local ordinance, covenant, lease condition, or similar circumstance not under the control of the firearms dealer, and the firearms dealer proposes security measures for his or her business premises which provide a similar level of security to the requirements the firearms dealer is unable to comply with.

(e) Paragraphs (a), (b), and (c) do not apply to a firearms dealer organized as a corporation not for profit or a mutual benefit corporation under chapter 617 if both of the following conditions are satisfied:

1. The corporation not for profit or mutual benefit corporation obtained the firearms dealer's license solely and exclusively to assist that corporation or local chapters of that corporation in conducting auctions or similar events at which firearms are auctioned off to fund the activities of that corporation or the local chapters of the corporation.

2. The firearms are not handguns.

(f) A firearms dealer must make its business location available to the Department of Law Enforcement for inspection.
during normal business hours for the purpose of verifying compliance with this section. Such inspections are limited to the parts of the premises that are used to store or sell firearms. A law enforcement official is not required to give advance notice of an inspection. No more than two inspections of any single place of business shall be conducted during any 6-month period; however, follow-up inspections in excess of two in a 6-month period may be conducted if a law enforcement official has good cause to believe that a firearms dealer is violating this section.

(g) A dealer who sells ammunition shall sell or display the ammunition in a manner that ensures it remains inaccessible to a purchaser without the assistance of the dealer or employee.

(3) PENALTIES.—A firearms dealer found to be in violation of this section commits a noncriminal violation and shall pay a civil penalty of $1,500 for a first violation and $3,000 for a second or subsequent violation.

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T I T L E  A M E N D M E N T

Remove line 71 and insert:
exceptions; creating s. 790.0651, F.S.; providing definitions; requiring the premises of firearms dealers to meet specified security requirements; providing for inspections of such premises; providing
limits on the number of inspections permitted;
providing an exception; providing penalties for
violations; amending s. 790.0655, F.S.; revising the