Representative Good offered the following:

Substitute Amendment for Amendment (663795) (with title amendment)

Between lines 688 and 689, insert:

Section 12. Section 790.0653, Florida Statutes, is created to read:

790.0653 Transfers of firearms; transfer thorough licensed dealer required.—

(1) This section may be cited as the "Universal Background Check Act."
(2) A person may not sell or otherwise transfer a firearm, including selling or transferring a firearm via the Internet, unless:
   (a) The person is a licensed dealer;
   (b) The purchaser or other transferee is a licensed dealer; or
   (c) The requirements of subsection (3) are met.

(3) If neither party to a prospective firearms transaction is a licensed dealer, the parties to the transaction shall complete the sale or other transfer through a licensed dealer as follows:
   (a) The seller or other transferor shall deliver the firearm to the licensed dealer, who shall retain possession of the firearm until all legal requirements for the sale or other transfer have been met, including compliance with any state or local waiting periods.
   (b) The licensed dealer shall process the sale or other transfer as if he or she were the seller or other transferor. The licensed dealer shall comply with all requirements of federal and state law that would apply if he or she were the seller or other transferor of the firearm.
   (c) Notwithstanding any other provision of law, the licensed dealer may allow the seller or transferor who is not a licensed dealer to remove the firearm from the business premises of the licensed dealer while the background check is being
conducted and while the waiting period requirement under s. 790.0655 is being met. The licensed dealer must comply with all requirements of federal and state law which would apply if she or he were the seller or transferor of the firearm.

(d) The licensed dealer shall follow the requirements of s. 790.065 and, if the transaction is not prohibited, deliver the firearm to the purchaser or other transferee after all other legal requirements are met.

(e) If the licensed dealer cannot legally deliver the firearm to the purchaser or other transferee, the licensed dealer shall follow the requirements of s. 790.065, and, if the return is not prohibited, return the firearm to the seller or other transferor.

(f) If the licensed dealer cannot legally return the firearm to the seller or other transferor, the licensed dealer shall deliver the firearm to the sheriff of the county in which the licensed dealer is located within 24 hours.

(g) The licensed dealer may require the purchaser or other transferee to pay a fee covering the administrative costs incurred by the licensed dealer for facilitating the transfer of the firearm, plus applicable fees pursuant to federal and state law.

(4) Subsections (2) and (3) do not apply to the following:
(a) A law enforcement or corrections agency, or a law
enforcement or corrections officer acting within the course and
scope of his or her employment or official duties.
(b) The activities of the United States Marshals Service,
members of the United States Armed Forces or the National Guard,
or federal officials required to carry firearms while engaged in
performing their official duties.
(c) A gunsmith who receives a firearm solely for the
purposes of service or repair, or the return of the firearm to
its owner by the gunsmith.
(d) A common carrier, warehouseman, or other person
engaged in the business of transportation or storage, to the
extent that the receipt of any firearm is in the ordinary course
of business and not for the personal use of any such person.
(e) A person who is loaned a firearm solely for the
purpose of shooting at targets, if the loan occurs on the
premises of a target facility, and the firearm is at all times
kept within the premises of the target range.
(f) A person who is under the age of 18 years who is
firearm for lawful hunting or sporting purposes or for any other
lawful recreational activity while under the direct supervision
and control of a responsible adult.
(g) A person who is 18 years of age or older who is loaned
a firearm while the person is accompanying the lawful owner and
using the firearm for lawful hunting or sporting purposes or for any other lawful recreational activity.

(h) An adult family member of the lawful owner of the firearm if the owner resides with the family member but is not currently present in the residence, provided that the family member does not maintain control over the firearm for more than 14 consecutive days. This paragraph does not apply if the owner or the family member knows or has reasonable cause to believe that federal or state law prohibits the family member from purchasing or possessing firearms, or the owner knows or has reasonable cause to believe that the family member is likely to use the firearm for unlawful purposes.

(i) A spouse, child, or parent of the firearm owner who acquired the firearm by operation of law upon the death of the former firearm owner.

(j) The temporary transfer of a firearm if such transfer is to prevent immediate or imminent death or great bodily harm to one's self or others, provided that the person to whom the firearm is transferred is not prohibited from possessing a firearm under state or federal law and the temporary transfer lasts no longer than necessary to prevent such immediate or imminent death or great bodily harm.

(k) The sale or transfer of an antique firearm.
(5) A person who violates this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(6) In addition to any other penalty or remedy, the investigating law enforcement agency shall report any violation of this section committed by a licensed dealer to the Attorney General.

(7) There shall be a mandatory 3-day waiting period, which shall be 3 days, excluding weekends and legal holidays, between the purchase and the delivery at retail, or the delivery through a private sale facilitated through a licensed dealer under this section, of any firearm. "Purchase" means the transfer of money or other valuable consideration to the retailer. "Retailer" means and includes every person engaged in the business of making sales at retail or for distribution, or use, or consumption, or storage to be used or consumed in this state, as defined in s. 212.02(13).

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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. 790.0653, F.S.; providing a short title; requiring transfers of firearms when neither party is a licensed dealer to be conducted through a licensed dealer; requiring deposit of the
firearm with the licensed dealer; requiring processing by the licensed dealer; providing for disposition of the firearm if the licensed dealer cannot legally complete the transaction; authorizing a fee; providing exceptions; providing criminal penalties for violations; requiring reports of violations by licensed dealers; requiring a specified waiting period for such transfers; amending s. 790.0655, F.S.; revising the