A bill to be entitled
An act relating to the safe storage of loaded
firearms; amending s. 790.174, F.S.; making technical
changes; revising the locations and circumstances in
which a loaded firearm is required to be kept or
secured with a trigger lock; deleting conditions that
pertain to the crime of failing to safely store,
leave, or secure a loaded firearm in a specified
manner; reenacting s. 409.175(5)(g), F.S., relating to
rules of the Department of Children and Families
requiring the adoption of a form used by child-placing
agencies, to incorporate the amendment made to s.
790.174, F.S., in a reference thereto; providing an
effective date.

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

Section 1. Section 790.174, Florida Statutes, is amended to
read:
790.174 Safe storage of firearms required.—
(1) As used in this section, the term “minor” means a
person younger than 16 years of age.

(2)(1) A person who stores or leaves, on a premise under
his or her control, a loaded firearm, as defined in s. 790.001,
and who knows or reasonably should know that a minor is likely
to gain access to the firearm without the lawful permission of
the minor’s parent or the person having charge of the minor, or
without the supervision required by law, shall keep the firearm
in a securely locked box or container or in a location which a
reasonable person would believe to be secure or shall secure it
with a trigger lock, except when the person is carrying the
firearm on his or her body or within such close proximity
thereof that he or she can retrieve and use it as easily and
quickly as if he or she carried it on his or her body.

(3) (2) It is A person who violates subsection (2) commits a
misdemeanor of the second degree, punishable as provided in s.
775.082 or s. 775.083, if a person violates subsection (1) by
failing to store or leave a firearm in the required manner and
as a result thereof a minor gains access to the firearm, without
the lawful permission of the minor’s parent or the person having
charge of the minor, and possesses or exhibits it, without the
supervision required by law:

(a) In a public place; or
(b) In a rude, careless, angry, or threatening manner in
violation of s. 790.10.

This subsection does not apply if the minor obtains the firearm
as a result of an unlawful entry by any person.

(3) As used in this act, the term “minor” means any person
under the age of 16.

Section 2. For the purpose of incorporating the amendment
made by this act to section 790.174, Florida Statutes, in a
reference thereto, paragraph (g) of subsection (5) of section
409.175, Florida Statutes, is reenacted to read:

409.175 Licensure of family foster homes, residential
child-caring agencies, and child-placing agencies; public
records exemption.—

(5) The department shall adopt and amend rules for the
levels of licensed care associated with the licensure of family foster homes, residential child-caring agencies, and child-placing agencies. The rules may include criteria to approve waivers to licensing requirements when applying for a child-specific license.

(g) The department’s rules shall include adoption of a form to be used by child-placing agencies during an adoption home study that requires all prospective adoptive applicants to acknowledge in writing the receipt of a document containing solely and exclusively the language provided for in s. 790.174 verbatim.

Section 3. This act shall take effect July 1, 2020.