A bill to be entitled
An act relating to the preemption of firearms and
ammunition; repealing s. 790.33, F.S., relating to the
preemption of the field of regulation of firearms and
ammunition to the Legislature, to the exclusion of
local jurisdictions; amending s. 790.251, F.S.;
conforming a provision to changes made by the act;
providing an effective date.

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

   Section 1.  Section 790.33, Florida Statutes, is repealed.
   Section 2.  Subsection (4) of section 790.251, Florida
Statutes, is amended to read:

790.251  Protection of the right to keep and bear arms in
motor vehicles for self-defense and other lawful purposes;
prohibited acts; duty of public and private employers; immunity
from liability; enforcement.—

   (4)  PROHIBITED ACTS.—No public or private employer may
violate the constitutional rights of any customer, employee, or
invitee as provided in paragraphs (a)-(e):

   (a)  No public or private employer may prohibit any
customer, employee, or invitee from possessing any legally owned
firearm when such firearm is lawfully possessed and locked
inside or locked to a private motor vehicle in a parking lot and
when the customer, employee, or invitee is lawfully in such
area.

(b) No public or private employer may violate the privacy
rights of a customer, employee, or invitee by verbal or written
inquiry regarding the presence of a firearm inside or locked to
a private motor vehicle in a parking lot or by an actual search
of a private motor vehicle in a parking lot to ascertain the
presence of a firearm within the vehicle. Further, no public or
private employer may take any action against a customer,
employee, or invitee based upon verbal or written statements of
any party concerning possession of a firearm stored inside a
private motor vehicle in a parking lot for lawful purposes. A
search of a private motor vehicle in the parking lot of a public
or private employer to ascertain the presence of a firearm
within the vehicle may only be conducted by on-duty law
enforcement personnel, based upon due process and must comply
with constitutional protections.

(c) No public or private employer shall condition
employment upon either:

1. The fact that an employee or prospective employee holds
or does not hold a license issued pursuant to s. 790.06; or

2. Any agreement by an employee or a prospective employee
that prohibits an employee from keeping a legal firearm locked
inside or locked to a private motor vehicle in a parking lot
when such firearm is kept for lawful purposes.
(d) No public or private employer shall prohibit or attempt to prevent any customer, employee, or invitee from entering the parking lot of the employer's place of business because the customer's, employee's, or invitee's private motor vehicle contains a legal firearm being carried for lawful purposes, that is out of sight within the customer's, employee's, or invitee's private motor vehicle.

(e) No public or private employer may terminate the employment of or otherwise discriminate against an employee, or expel a customer or invitee for exercising his or her constitutional right to keep and bear arms or for exercising the right of self-defense as long as a firearm is never exhibited on company property for any reason other than lawful defensive purposes.

This subsection applies to all public sector employers, including those already prohibited from regulating firearms under the provisions of s. 790.33.

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