

By Senator Powell

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1 A bill to be entitled
2 An act relating to the lawful ownership, possession,
3 and use of firearms and weapons; amending s. 790.25,
4 F.S.; prohibiting a person from owning, possessing,
5 and lawfully using firearms and other weapons,
6 ammunition, and supplies while engaging in certain
7 lawful uses if he or she is within a specified
8 distance of the real property of certain locations;
9 providing an effective date.

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

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13 Section 1. Subsection (3) of section 790.25, Florida
14 Statutes, is amended to read:

15 790.25 Lawful ownership, possession, and use of firearms
16 and other weapons.—

17 (3) LAWFUL USES.—~~Sections~~ ~~The provisions of ss.~~ 790.053 and
18 790.06 do not apply in any the following instances, and, despite
19 such sections, it is lawful for the following persons to own,
20 possess, and lawfully use firearms and other weapons,
21 ammunition, and supplies for lawful purposes:

22 (a) Members of the Militia, National Guard, Florida State
23 Defense Force, Army, Navy, Air Force, Marine Corps, Coast Guard,
24 organized reserves, and other armed forces of the state and of
25 the United States, when on duty, when training or preparing
26 themselves for military duty, or while subject to recall or
27 mobilization.†

28 (b) Citizens of this state subject to duty in the Armed
29 Forces under s. 2, Art. X of the State Constitution, under

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30 chapters 250 and 251, and under federal laws, when on duty or
31 when training or preparing themselves for military duty.†

32 (c) Persons carrying out or training for emergency
33 management duties under chapter 252.†

34 (d) Sheriffs, marshals, prison or jail wardens, police
35 officers, Florida highway patrol officers, game wardens, revenue
36 officers, forest officials, special officers appointed under the
37 provisions of chapter 354, and other peace and law enforcement
38 officers and their deputies and assistants and full-time paid
39 peace officers of other states and of the Federal Government who
40 are carrying out official duties while in this state.†

41 (e) Officers or employees of the state or United States
42 duly authorized to carry a concealed weapon.†

43 (f) Guards or messengers of common carriers, express
44 companies, armored car carriers, mail carriers, banks, and other
45 financial institutions, while actually employed in and about the
46 shipment, transportation, or delivery of any money, treasure,
47 bullion, bonds, or other thing of value within this state.†

48 (g) Regularly enrolled members of any organization duly
49 authorized to purchase or receive weapons from the United States
50 or from this state, or regularly enrolled members of clubs
51 organized for target, skeet, or trap shooting, while at or going
52 to or from shooting practice; or regularly enrolled members of
53 clubs organized for modern or antique firearms collecting, while
54 such members are at or going to or from their collectors' gun
55 shows, conventions, or exhibits.†

56 (h) A person engaged in fishing, camping, or lawful hunting
57 or going to or returning from a fishing, camping, or lawful
58 hunting expedition. A lawful activity under this paragraph may

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59 not be conducted within 1,500 feet of the real property
60 comprising any school, house of worship, government building, or
61 guarded beach.†

62 (i) A person engaged in the business of manufacturing,
63 repairing, or dealing in firearms, or the agent or
64 representative of any such person while engaged in the lawful
65 course of such business.†

66 (j) A person firing weapons for testing or target practice
67 under safe conditions and in a safe place not prohibited by law
68 or going to or from such place.†

69 (k) A person firing weapons in a safe and secure indoor
70 range for testing and target practice.†

71 (l) A person traveling by private conveyance when the
72 weapon is securely encased or in a public conveyance when the
73 weapon is securely encased and not in the person's manual
74 possession.†

75 (m) A person while carrying a pistol unloaded and in a
76 secure wrapper, concealed or otherwise, from the place of
77 purchase to his or her home or place of business or to a place
78 of repair or back to his or her home or place of business.†

79 (n) A person possessing arms at his or her home or place of
80 business.†

81 (o) Investigators employed by the several public defenders
82 of the state, while actually carrying out official duties,
83 provided such investigators:

- 84 1. Are employed full time;
85 2. Meet the official training standards for firearms
86 established by the Criminal Justice Standards and Training
87 Commission as provided in s. 943.12(5) and the requirements of

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88 ss. 493.6108(1)(a) and 943.13(1)-(4); and

89 3. Are individually designated by an affidavit of consent
90 signed by the employing public defender and filed with the clerk
91 of the circuit court in the county in which the employing public
92 defender resides.

93 (p) Investigators employed by the capital collateral
94 regional counsel, while actually carrying out official duties,
95 provided such investigators:

96 1. Are employed full time;

97 2. Meet the official training standards for firearms as
98 established by the Criminal Justice Standards and Training
99 Commission as provided in s. 943.12(1) and the requirements of
100 ss. 493.6108(1)(a) and 943.13(1)-(4); and

101 3. Are individually designated by an affidavit of consent
102 signed by the capital collateral regional counsel and filed with
103 the clerk of the circuit court in the county in which the
104 investigator is headquartered.

105 (q)1. A tactical medical professional who is actively
106 operating in direct support of a tactical operation by a law
107 enforcement agency provided that:

108 a. The tactical medical professional is lawfully able to
109 possess firearms and has an active concealed weapons permit
110 issued pursuant to s. 790.06~~;~~;

111 b. The tactical medical professional is appointed to a law
112 enforcement tactical team of a law enforcement agency by the
113 head of the law enforcement agency~~;~~;

114 c. The law enforcement agency has an established policy
115 providing for the appointment, training, and deployment of the
116 tactical medical professional~~;~~;

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117 d. The tactical medical professional successfully completes
118 a firearms safety training and tactical training as established
119 or designated by the appointing law enforcement agency; and.

120 e. The law enforcement agency provides and the tactical
121 medical professional participates in annual firearm training and
122 tactical training.

123 2. While actively operating in direct support of a tactical
124 operation by a law enforcement agency, a tactical medical
125 professional:

126 a. May carry a firearm in the same manner as a law
127 enforcement officer, as defined in s. 943.10 and,
128 notwithstanding any other law, at any place a tactical law
129 enforcement operation occurs; and.

130 b. Has no duty to retreat and is justified in the use of
131 any force which he or she reasonably believes is necessary to
132 defend himself or herself or another from bodily harm; and.

133 c. Has the same immunities and privileges as a law
134 enforcement officer, as defined in s. 943.10, in a civil or
135 criminal action arising out of a tactical law enforcement
136 operation when acting within the scope of his or her official
137 duties.

138 3. This paragraph may not be construed to authorize a
139 tactical medical professional to carry, transport, or store any
140 firearm or ammunition on any fire apparatus or EMS vehicle.

141 4. The appointing law enforcement agency shall issue any
142 firearm or ammunition that the tactical medical professional
143 carries in accordance with this paragraph.

144 5. For the purposes of this paragraph, the term "tactical
145 medical professional" means a paramedic, as defined in s.

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146 401.23, a physician, as defined in s. 458.305, or an osteopathic
147 physician, as defined in s. 459.003, who is appointed to provide
148 direct support to a tactical law enforcement unit by providing
149 medical services at high-risk incidents, including, but not
150 limited to, hostage incidents, narcotics raids, hazardous
151 surveillance, sniper incidents, armed suicidal persons,
152 barricaded suspects, high-risk felony warrant service, fugitives
153 refusing to surrender, and active shooter incidents.

154 Section 2. This act shall take effect July 1, 2020.