1 A bill to be entitled 2 An act relating to assault weapons and large-capacity 3 magazines; creating s. 790.301, F.S.; providing 4 definitions; prohibiting the sale or transfer of an 5 assault weapon or a large-capacity magazine; providing 6 exceptions; providing criminal penalties; prohibiting 7 possession of an assault weapon or a large-capacity 8 magazine; providing exceptions; providing criminal 9 penalties; requiring certificates of possession for assault weapons or large-capacity magazines lawfully 10 11 possessed before a specified date; providing 12 requirements for the certificates; requiring the 13 department to conduct a background investigation; 14 requiring the Department of Law Enforcement to adopt 15 rules; specifying the form of the certificates; 16 limiting sales or transfers of assault weapons or 17 large-capacity magazines documented by the 18 certificates; providing applicability; providing 19 conditions for continued possession of such weapons or large-capacity magazines; providing requirements for 20 21 an applicant who fails to qualify for a certificate of 22 possession; requiring certificates of transfer for 23 transfers of certain assault weapons or large-capacity 24 magazines; providing requirements for certificates of transfer; requiring the Department of Law Enforcement 25

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26	to maintain a file of such certificates; providing for
27	relinquishment of assault weapons or large-capacity
28	magazines; providing requirements for transportation
29	of assault weapons or large-capacity magazines under
30	certain circumstances; providing criminal penalties;
31	specifying circumstances in which the manufacture or
32	transportation of assault weapons or large-capacity
33	magazines is not prohibited; exempting permanently
34	inoperable firearms from certain provisions; amending
35	s. 775.087, F.S.; providing enhanced criminal
36	penalties for certain offenses when committed with an
37	assault weapon or a large-capacity magazine; providing
38	for severability; providing an effective date.
39	
40	Be It Enacted by the Legislature of the State of Florida:
41	
42	Section 1. Section 790.301, Florida Statutes, is created
43	to read:
44	790.301 Assault weapons
45	(1) DEFINITIONSAs used in this section, the term:
46	(a)1. "Assault weapon" means any selective-fire firearm
47	capable of fully automatic, semiautomatic, or burst fire at the
48	option of the user or any of the following specified
49	<u>semiautomatic firearms:</u>
50	a. All AK series, including, but not limited to, the
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FLORIDA	HOUSE	OF REPP	RESENTA	A T I V E S
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2022

51	following: AK, AKM, AKS, AK-47, AK-74, ARM, MAK90, MISR, NHM90,
52	NHM91, SA 85, SA 93, VEPR, WASR-10, WUM, Rock River Arms LAR-47,
53	and Vector Arms AK-47.
54	b. All AR series, including, but not limited to, the
55	following: AR-10, AR-15, Bushmaster XM15, Armalite AR-180 and
56	M15, Olympic Arms, AR70, DPMS Tactical Rifles, Smith & Wesson
57	M&P15 Rifles, Colt AR-15, Rock River Arms LAR-15, and DoubleStar
58	AR rifles.
59	c. Algimec AGM1.
60	d. Barrett 82A1 and REC7.
61	e. Beretta AR-70 and Beretta Storm.
62	f. Bushmaster Auto Rifle.
63	g. Calico Liberty series.
64	h. Chartered Industries of Singapore SR-88.
65	<u>i. Colt Sporter.</u>
66	j. Daewoo K-1, K-2, Max-1, and Max-2.
67	<u>k. Famas mas 223.</u>
68	1. Federal XC-900 and SC-450.
69	m. Fabrique National FN/FAL, FN/LAR, and FNC.
70	n. FNH PS90, SCAR, and FS2000.
71	o. Goncz High Tech Carbine.
72	p. Hi-Point Carbine.
73	q. HK-91, HK-93, HK-94, SP-89, and HK-PSG-1.
74	<u>r. Kel-Tec Sub-2000, SU series, RFB.</u>
75	s. M1 Carbine.

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FLORIDA	HOUSE	OF REPR	K E S E N T A	TIVES
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76 t. SAR-8, SAR-4800, SR9. 77 u. SIG 57 AMT and 500 Series. 78 v. SIG Sauer MCX Rifle. 79 w. SKS capable of accepting a detachable magazine. 80 x. SLG 95. SLR 95 or 96. 81 у. 82 z. Spectre Auto Carbine. 83 aa. Springfield Armory BM59, SAR-48, and G-3. 84 bb. Sterling MK-6 and MK-7. cc. Steyr AUG. 85 86 dd. Sturm Ruger Mini-14 with folding stock. 87 ee. TNW M230, M2HB. ff. Thompson types, including Thompson T5. 88 89 gg. UZI, Galil and UZI Sporter, Galil Sporter, Galil 90 Sniper Rifle (Galatz), and Vector Arms UZI. 91 hh. Weaver Arms Nighthawk. 92 2. All of the following handguns, copies, duplicates, or 93 altered facsimiles with the capability of any such weapon: 94 a. AK-47 pistol and Mini AK-47 pistol. 95 b. AR-15 pistol. 96 c. Australian Automatic Arms SAP pistol. 97 d. Bushmaster Auto Pistol. 98 e. Calico Liberty series pistols. 99 f. Encom MK-IV, MP-9, and MP-45. 100 g. Feather AT-9 and Mini-AT.

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FLORIDA	HOUSE	OF REP	RESENTA	TIVES
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101	h. Goncz High Tech Long pistol.
102	i. Holmes MP-83.
103	j. Iver Johnson Enforcer.
104	k. MAC-10, MAC-11, Masterpiece Arms MPA pistol series, and
105	Velocity Arms VMA series.
106	1. Intratec TEC-9, TEC-DC9, TEC-22 Scorpion, or AB-10.
107	m. UZI pistol and Micro-UZI pistol.
108	n. Colefire Magnum.
109	o. Scarab Skorpion.
110	p. Spectre Auto pistol.
111	q. German Sport 522 PK.
112	r. Chiappa Firearms Mfour-22.
113	s. DSA SA58 PKP FAL.
114	t. I.O. Inc. PPS-43C.
115	u. Kel-Tec PLR-16 pistol.
116	v. SIG Sauer P556 pistol.
117	w. Thompson TA5 series pistols.
118	x. Wilkinson "Linda" pistol.
119	3. All of the following shotguns, copies, duplicates, or
120	altered facsimiles with the capability of any such weapon:
121	a. Armscor 30 BG.
122	b. Franchi SPAS-12 and Law-12.
123	c. Remington TAC-2 or TACB3 FS.
124	d. SPAS 12 and LAW 12.
125	e. Striker 12.

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FLORIDA	HOUSE	OF REP	RESENTA	TIVES
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126	f. Streetsweeper.
127	g. Saiga.
128	h. USAS-12.
129	i. Kel-Tec KSG.
130	4. A part or combination of parts which converts a firearm
131	into an assault weapon or any combination of parts from which an
132	assault weapon may be assembled if those parts are in the
133	possession or under the control of the same person.
134	5. Any semiautomatic firearm not listed in subparagraphs
135	14. which meets any of the following criteria:
136	a. A semiautomatic rifle that has an ability to accept a
137	detachable magazine and has one or more of the following:
138	(I) A folding or telescoping stock;
139	(II) A pistol grip, a thumbhole stock or Thordsen-type
140	grip or stock, or any other characteristic that can function as
141	a grip;
142	(III) A bayonet mount;
143	(IV) A flash suppressor or threaded barrel designed to
144	accommodate a flash suppressor;
145	(V) A grenade launcher; or
146	(VI) A shroud attached to the barrel, or that partially or
147	completely encircles the barrel, allowing the bearer to hold the
148	firearm with the nontrigger hand without being burned but
149	excludes a slide that encloses the barrel.
150	b. A semiautomatic pistol that has an ability to accept a
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FLORIDA	HOUSE	OF REPR	E S E N T A	TIVES
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151 detachable magazine and has one or more of the following: 152 The capacity to accept a large-capacity magazine that (I) 153 attaches to the pistol at any location outside of the pistol 154 grip; 155 (II) A threaded barrel capable of accepting a barrel extender, flash suppressor, forward handgrip, or silencer; 156 (III) A slide that encloses the barrel and that permits 157 158 the shooter to hold the firearm with the nontrigger hand without 159 being burned; 160 (IV) A manufactured weight of 50 ounces or more when the 161 pistol is unloaded; 162 (V) A semiautomatic version of an automatic firearm; 163 (VI) Any feature capable of functioning as a protruding 164 grip that can be held by the nontrigger hand; or 165 (VII) A folding, telescoping, or thumbhole stock. 166 c. A semiautomatic shotgun that has one or more of the 167 following: 168 (I) A folding or telescoping stock; 169 (II) A pistol grip, a thumbhole stock or Thordsen-type 170 grip or stock, or any other characteristic that can function as 171 a grip; 172 (III) A thumbhole stock; 173 (IV) A fixed magazine capacity in excess of 5 rounds; or 174 (V) An ability to accept a detachable magazine. 175 d. Any semiautomatic pistol or any semiautomatic,

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FLORIDA	HOUSE	OF REPI	R E S E N T A	TIVES
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176	centerfire, or rimfire rifle with a fixed magazine that has the
177	capacity to accept more than 10 rounds of ammunition.
178	e. A part or combination of parts designed or intended to
179	convert a firearm into an assault weapon or any combination of
180	parts from which an assault weapon may be assembled if those
181	parts are in the possession or under the control of the same
182	person.
183	(b) "Detachable magazine" means an ammunition feeding
184	device that can be removed from a firearm without disassembly of
185	the firearm action.
186	(c) "Fixed magazine" means an ammunition feeding device
187	contained in, or permanently attached to, a firearm in such a
188	manner that the device cannot be removed without disassembly of
189	the firearm action.
109	
190	(d) "Large-capacity magazine" means an ammunition feeding
190	(d) "Large-capacity magazine" means an ammunition feeding
190 191	(d) "Large-capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds, or any
190 191 192	(d) "Large-capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds, or any conversion kit, part, or combination of parts from which such a
190 191 192 193	(d) "Large-capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds, or any conversion kit, part, or combination of parts from which such a device can be assembled if those parts are in the possession or
190 191 192 193 194	(d) "Large-capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds, or any conversion kit, part, or combination of parts from which such a device can be assembled if those parts are in the possession or under the control of the same person but does not include any of
190 191 192 193 194 195	(d) "Large-capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds, or any conversion kit, part, or combination of parts from which such a device can be assembled if those parts are in the possession or under the control of the same person but does not include any of the following:
190 191 192 193 194 195 196	(d) "Large-capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds, or any conversion kit, part, or combination of parts from which such a device can be assembled if those parts are in the possession or under the control of the same person but does not include any of the following: 1. A feeding device that has been permanently altered so
190 191 192 193 194 195 196 197	(d) "Large-capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds, or any conversion kit, part, or combination of parts from which such a device can be assembled if those parts are in the possession or under the control of the same person but does not include any of the following: 1. A feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds;
190 191 192 193 194 195 196 197 198	(d) "Large-capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds, or any conversion kit, part, or combination of parts from which such a device can be assembled if those parts are in the possession or under the control of the same person but does not include any of the following: 1. A feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds; 2. A .22 caliber tube ammunition feeding device; or

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201	(e) "Licensed gun dealer" means a person who has a federal
202	firearms license.
203	(2) SALE OR TRANSFER.—
204	(a) A person who, within this state, distributes,
205	transports, or imports into this state, sells, keeps for sale,
206	or offers or exposes for sale, or who gives an assault weapon or
207	large-capacity magazine, in violation of this section, except as
208	provided in paragraph (c), commits a felony of the third degree,
209	punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
210	with a mandatory minimum term of imprisonment of 2 years.
211	(b) A person who transfers, sells, or gives an assault
212	weapon or large-capacity magazine to a person under 18 years of
213	age in violation of this section commits a felony of the second
214	degree, punishable as provided in s. 775.082, s. 775.083, or s.
215	775.084, with a mandatory minimum term of imprisonment of 6
216	years.
217	(c) Paragraph (a) does not apply to:
218	1. The sale of assault weapons or large-capacity magazines
219	to the Department of Law Enforcement, a law enforcement agency
220	as defined in s. 934.02, the Department of Corrections, or the
221	military or naval forces of this state or of the United States
222	for use in the discharge of their official duties.
223	2. A person who is the executor or administrator of an
224	estate that includes an assault weapon or a large-capacity
225	magazine for which a certificate of possession has been issued
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226	under this section and which is disposed of as authorized by the		
227	probate court, if the disposition is otherwise permitted under		
228	this section.		
229	3. The transfer by bequest or intestate succession of an		
230	assault weapon or a large-capacity magazine for which a		
231	certificate of possession has been issued under subsection (4).		
232	(3) POSSESSION		
233	(a) A person who, within this state, possesses any assault		
234	weapon or large-capacity magazine, except as provided in this		
235	section or as otherwise authorized by law, commits a felony of		
236	the third degree, punishable as provided in s. 775.082, s.		
237	775.083, or s. 775.084, with a mandatory minimum term of		
238	imprisonment of 1 year.		
239	(b) Paragraph (a) does not apply to the possession of		
240	assault weapons or large-capacity magazines by members or		
241	employees of the Department of Law Enforcement, a law		
242	enforcement agency as defined in s. 934.02(10), the Department		
243	of Corrections, or the military or naval forces of this state or		
244	of the United States for use in the discharge of their official		
245	duties; nor does this section prohibit the possession or use of		
246	assault weapons or large-capacity magazines by sworn members of		
247	these agencies when on duty and the use is within the scope of		
248	their duties.		
249	(c) Paragraph (a) does not apply to the possession of an		
250	assault weapon or a large-capacity magazine by a person before		
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251 July 1, 2023, if all of the following are applicable: 252 1. The person is eligible to apply for a certificate of 253 possession for the assault weapon or large-capacity magazine by 254 July 1, 2023; 255 The person lawfully possessed the assault weapon or 2. 256 large-capacity magazine before October 1, 2022; and 257 3. The person is otherwise in compliance with this section 258 and the applicable requirements of this chapter for possession of a firearm. 259 260 (d) Paragraph (a) does not apply to a person who is the 261 executor or administrator of an estate that includes an assault 262 weapon or a large-capacity magazine for which a certificate of possession has been issued under subsection (4), if the assault 263 264 weapon is possessed at a place set forth in subparagraph 265 (4) (d)1. or as authorized by the probate court. 266 (4) CERTIFICATE OF POSSESSION.-267 (a) A person who lawfully possesses an assault weapon or a 268 large-capacity magazine before October 1, 2022, shall apply by 269 October 1, 2023, or, if such person is a member of the military 270 or naval forces of this state or of the United States and is unable to apply by October 1, 2023, because he or she is or was 271 on official duty outside of this state, shall apply within 90 272 273 days after returning to this state to the Department of Law 274 Enforcement, for a certificate of possession with respect to 275 such assault weapon or large-capacity magazine. The certificate

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276	must contain a description of the assault weapon or large-			
277	capacity magazine which identifies it uniquely, including all			
278	identification marks; the full name, address, date of birth, and			
279	thumbprint of the owner; and any other information as the			
280	department may deem appropriate. The department shall adopt			
281	rules no later than January 1, 2023, to establish procedures			
282	with respect to the application for, and issuance of,			
283	certificates of possession pursuant to this section. The			
284	thumbprint of the applicant shall be taken by a law enforcement			
285	agency or the Department of Law Enforcement together with any			
286	personal identifying information required by federal law to			
287	process fingerprints. Charges for thumbprint services under this			
288	paragraph are not subject to the sales tax on fingerprint			
289	services imposed in s. 212.05(1)(i). The Department of Law			
290	Enforcement shall conduct a background investigation pursuant to			
291	this subsection.			
292	(b) A certificate of possession issued under this			
293	subsection must be in substantially the following form:			
294	CERTIFICATE OF POSSESSION OF ASSAULT WEAPON			
295	Certificate Number:			
296	Owner's name: (Last, First, Middle)			
297	Address: (Number, Street, City or Town, State, Zip Code) NO			
298	P.O. Boxes			
299	Date of Birth:			
300	Social Security Number (Optional, but will help prevent			
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301 misidentification): 302 Driver License Number and State: 303 Manufacturer: Importer: Serial Number: Model: Caliber: Unique 304 I.D./Markings: 305 Signature of Owner 306 Applicant's Right Thumbprint 307 (c)1. An assault weapon or a large-capacity magazine 308 possessed pursuant to this section may not be sold or 309 transferred on or after January 1, 2023, to a person within this state other than to a licensed gun dealer, as provided in 310 311 subsection (5), or by a bequest or intestate succession. 312 2. A person who obtains title to an assault weapon or a 313 large-capacity magazine for which a certificate of possession 314 has been issued under this section by bequest or intestate 315 succession shall, within 90 days after obtaining title: 316 a. Apply to the Department of Law Enforcement for a 317 certificate of possession as provided in paragraph (a); 318 b. Render the assault weapon or large-capacity magazine 319 permanently inoperable; 320 c. Sell the weapon or large-capacity magazine to a 321 licensed gun dealer; or 322 d. Remove the weapon or large-capacity magazine from this 323 state. 324 3. A person who moves into this state in lawful possession 325 of an assault weapon or a large-capacity magazine shall, within

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FLORIDA	HOUSE	OF REPR	R E S E N T A	ΤΙΥΕS
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326	90 days after arriving in the state:
327	a. Render the weapon or large-capacity magazine
328	permanently inoperable;
329	b. Sell the weapon or large-capacity magazine to a
330	licensed gun dealer; or
331	c. Remove the weapon or large-capacity magazine from this
332	state.
333	4. This paragraph does not apply to a person who is a
334	member of the military or naval forces of this state or of the
335	United States, is in lawful possession of an assault weapon or a
336	large-capacity magazine, and has been transferred into this
337	state after October 1, 2023.
338	(d) A person who has been issued a certificate of
339	possession for an assault weapon or a large-capacity magazine
340	under this section may possess it only under the following
341	conditions:
342	1. At that person's residence, place of business, or other
343	property owned by that person, or on property owned by another
344	person with the owner's express permission;
345	2. While on the premises of a target range of a public or
346	private club or organization organized for the purpose of
347	practicing shooting at targets;
348	3. While on a target range that holds a regulatory or
349	business license for the purpose of practicing shooting at that
350	target range;

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351	4. While on the premises of a licensed shooting club;
352	5. While attending any exhibition, display, or educational
353	project that is about firearms and is sponsored by, conducted
354	under the auspices of, or approved by a law enforcement agency
355	or a nationally or state-recognized entity that fosters
356	proficiency in, or promotes education about, firearms; or
357	6. While transporting the assault weapon or large-capacity
358	magazine between any of the places specified in this subsection,
359	or to any licensed gun dealer for servicing or repair pursuant
360	to paragraph (7)(b), provided the assault weapon or large-
361	capacity magazine is transported as required by subsection (7).
362	(e) If an applicant for a certificate of possession under
363	this subsection fails to qualify for such a certificate after
364	the investigation required under this subsection, the applicant
365	shall arrange to relinquish all assault weapons or large-
366	capacity magazines in his or her possession as provided in
367	subsection (6) within 10 days after issuance of the notice of
368	qualification failure. Such an applicant who fails to make such
369	an arrangement within the time specified in this paragraph is in
370	violation of this section.
371	(5) CERTIFICATE OF TRANSFERIf an owner of an assault
372	weapon or a large-capacity magazine sells or transfers the
373	weapon or magazine to a licensed gun dealer, he or she shall, at
374	the time of delivery of the weapon, execute a certificate of
375	transfer and mail or deliver the certificate to the Department
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FLORIDA	HOUSE	OF REPR	R E S E N T A	ΤΙΥΕS
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376	of Law Enforcement. The certificate shall contain:
377	(a) The date of sale or transfer.
378	(b) The name and address of the seller or transferor and
379	the licensed gun dealer and the social security number or driver
380	license number of each party.
381	(c) The licensed gun dealer's federal firearms license
382	number.
383	(d) A description of the weapon, including the caliber of
384	the weapon and its make, model, and serial number.
385	(e) Any other information the Department of Law
386	Enforcement prescribes.
387	
388	The licensed gun dealer shall present his or her driver license
389	or social security card and federal firearms license to the
390	seller or transferor for inspection at the time of purchase or
391	transfer. The Department of Law Enforcement shall maintain a
392	file of all certificates of transfer at its headquarters.
393	(6) RELINQUISHMENT.—An individual may arrange in advance
394	to relinquish an assault weapon or a large-capacity magazine to
395	a law enforcement agency as defined in s. 934.02 or to the
396	Department of Law Enforcement. The assault weapon or large-
397	capacity magazine shall be transported in accordance with
398	subsection (7).
399	(7) TRANSPORTATION
400	(a) A licensed gun dealer who lawfully purchases for
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401	resale out of state an assault weapon or a large-capacity
402	magazine under subsection (2) may transport the assault weapon
403	or large-capacity magazine between dealers or out of this state,
404	but a person may not carry a loaded assault weapon concealed
405	from public view or knowingly have in any motor vehicle owned,
406	operated, or occupied by him or her a loaded assault weapon or a
407	large-capacity magazine or an unloaded assault weapon or a
408	large-capacity magazine, unless such weapon or large-capacity
409	magazine is kept in the trunk of such vehicle or in a case or
410	other container that is inaccessible to the operator of or any
411	passenger in such vehicle. A person who violates this subsection
412	commits a misdemeanor of the second degree, punishable as
413	provided in s. 775.082 or s. 775.083. Any licensed gun dealer
414	may display the assault weapon or large-capacity magazine at any
415	gun show or sell it to a buyer outside this state.
416	(b) A licensed gun dealer may transfer possession of an
417	assault weapon or large-capacity magazine received pursuant to
418	paragraph (a) to a gunsmith for purposes of accomplishing
419	service or repair of the assault weapon or large-capacity
420	magazine. Transfers are permissible only to the following
421	persons:
422	1. A gunsmith who is in the dealer's employ; or
423	2. A gunsmith with whom the dealer has contracted for
424	gunsmithing services, provided the gunsmith receiving the
425	assault weapon holds a dealer's license issued pursuant to
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426	chapter 44 of Title 18 of the United States Code, 18 U.S.C. ss.
427	921 et seq., and the regulations issued pursuant thereto.
428	(8) CIRCUMSTANCES IN WHICH MANUFACTURE OR TRANSPORTATION
429	NOT PROHIBITEDThis section does not prohibit any person, firm,
430	or corporation engaged in the business of manufacturing assault
431	weapons or large-capacity magazines in this state from
432	manufacturing or transporting assault weapons or large-capacity
433	magazines in this state for sale within this state under
434	subparagraph (2)(c)1. or for sale outside this state.
435	(9) EXCEPTIONThis section does not apply to any firearm
436	modified to render it permanently inoperable.
437	Section 2. Paragraph (a) of subsection (3) of section
438	775.087, Florida Statutes, is amended to read:
439	775.087 Possession or use of weapon; aggravated battery;
440	felony reclassification; minimum sentence
441	(3)(a)1. Any person who is convicted of a felony or an
442	attempt to commit a felony, regardless of whether the use of a
443	firearm is an element of the felony, and the conviction was for:
444	a. Murder;
445	b. Sexual battery;
446	c. Robbery;
447	d. Burglary;
448	e. Arson;
449	f. Aggravated battery;
450	g. Kidnapping;
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451 h. Escape; 452 Sale, manufacture, delivery, or intent to sell, i. 453 manufacture, or deliver any controlled substance; 454 j. Aircraft piracy; 455 Aggravated child abuse; k. 456 1. Aggravated abuse of an elderly person or disabled 457 adult; 458 Unlawful throwing, placing, or discharging of a m. 459 destructive device or bomb; 460 n. Carjacking; 461 o. Home-invasion robbery; 462 p. Aggravated stalking; or 463 Trafficking in cannabis, trafficking in cocaine, q. 464 capital importation of cocaine, trafficking in illegal drugs, 465 capital importation of illegal drugs, trafficking in 466 phencyclidine, capital importation of phencyclidine, trafficking 467 in methaqualone, capital importation of methaqualone, 468 trafficking in amphetamine, capital importation of amphetamine, 469 trafficking in flunitrazepam, trafficking in gamma-470 hydroxybutyric acid (GHB), trafficking in 1,4-Butanediol, trafficking in Phenethylamines, or other violation of s. 471 472 893.135(1); 473 474 and during the commission of the offense, such person possessed 475 a semiautomatic firearm and its high-capacity detachable box

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476 magazine, an assault weapon or a large-capacity magazine as 477 <u>those terms are defined in s. 790.301(1)</u>, or a machine gun as 478 defined in s. 790.001, shall be sentenced to a minimum term of 479 imprisonment of 15 years.

480 Any person who is convicted of a felony or an attempt 2. 481 to commit a felony listed in subparagraph (a)1., regardless of 482 whether the use of a weapon is an element of the felony, and 483 during the course of the commission of the felony such person 484 discharged a semiautomatic firearm and its high-capacity box 485 magazine, an assault weapon or a large-capacity magazine as those terms are defined in s. 790.301(1), or a "machine gun" as 486 487 defined in s. 790.001 shall be sentenced to a minimum term of 488 imprisonment of 20 years.

489 3. Any person who is convicted of a felony or an attempt 490 to commit a felony listed in subparagraph (a)1., regardless of 491 whether the use of a weapon is an element of the felony, and 492 during the course of the commission of the felony such person 493 discharged a semiautomatic firearm and its high-capacity box 494 magazine, an assault weapon or a large-capacity magazine as those terms are defined in s. 790.301(1), or a "machine gun" as 495 defined in s. 790.001 and, as the result of the discharge, death 496 497 or great bodily harm was inflicted upon any person, the 498 convicted person shall be sentenced to a minimum term of 499 imprisonment of not less than 25 years and not more than a term of imprisonment of life in prison. 500

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CODING: Words stricken are deletions; words underlined are additions.

FLORIDA	HOUSE	OF REP	RESENT	ATIVES
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2022

501	Section 3. If any provision of this act or its application
502	to any person or circumstance is held invalid, the invalidity
503	does not affect other provisions or applications of the act
504	which can be given effect without the invalid provision or
505	application, and to this end the provisions of this act are
506	severable.
507	Section 4. This act shall take effect October 1, 2022.