

By Senator Polsky

29-00915-22

2022872__

1 A bill to be entitled
2 An act relating to unfinished firearms; creating s.
3 790.223, F.S.; providing definitions; prohibiting
4 specified acts involving unfinished firearm frames or
5 receivers; providing exceptions; providing criminal
6 penalties; providing applicability; defining the term
7 "licensed dealer"; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
10

11 Section 1. Section 790.223, Florida Statutes, is created to
12 read:

13 790.223 Unfinished firearms.—

14 (1) As used in this section, the term:

15 (a) "Assemble" means to fit together component parts.

16 (b) "Firearms importer or manufacturer" means a person
17 licensed to import or manufacture firearms pursuant to 18 U.S.C.
18 chapter 44.

19 (c) "Law enforcement agency" has the same meaning as in s.
20 23.1225(1)(d).

21 (d) "Manufacture" means to fabricate, make, form, produce,
22 or construct by manual labor or machinery.

23 (e) "Unfinished frame or receiver" means any forging,
24 casting, printing, extrusion, machined body, or similar article
25 that:

26 1. Has reached a stage in its manufacture where it may
27 readily be completed or converted to be a functional frame or
28 receiver; or

29 2. Is marketed or sold to the public to become or be used

29-00915-22

2022872__

30 as the frame or receiver of a functional firearm once finished
31 or completed.

32 (2) (a) After January 1, 2023, a person may not possess,
33 purchase, transport, or receive an unfinished frame or receiver,
34 unless:

35 1. The person is a firearms importer or manufacturer; or
36 2. The unfinished frame or receiver is imprinted with a
37 serial number issued by a firearms importer or manufacturer and
38 the unfinished frame or receiver has been imprinted with the
39 serial number pursuant to federal law.

40 (b) A person who violates this subsection commits:

41 1. For the first offense:

42 a. If the offense is a possession violation, a misdemeanor
43 of the second degree, punishable as provided in s. 775.082 or s.
44 775.083; or

45 b. If the offense is any other violation, a misdemeanor of
46 the first degree, punishable as provided in s. 775.082 or s.
47 775.083; or

48 2. For a second or subsequent offense, a felony of the
49 third degree, punishable as provided in s. 775.082, s. 775.083,
50 or s. 775.084.

51 (3) (a) A person may not sell, offer to sell, or transfer an
52 unfinished frame or receiver unless:

53 1. The person is a firearms importer or manufacturer and
54 the recipient of the unfinished frame or receiver is a firearms
55 importer or manufacturer; or

56 2. The unfinished frame or receiver is imprinted with a
57 serial number issued by an importer or manufacturer and the
58 unfinished frame or receiver has been imprinted with the serial

29-00915-22

2022872__

59 number pursuant to federal law.

60 (b) A person who violates this subsection commits:

61 1. For the first offense, a misdemeanor of the first
62 degree, punishable as provided in s. 775.082 or s. 775.083; or

63 2. For a second or subsequent offense, a felony of the
64 third degree, punishable as provided in s. 775.082, s. 775.083,
65 or s. 775.084.

66 (4) (a) A person may not manufacture or cause to be
67 manufactured or assemble or cause to be assembled a firearm that
68 is not imprinted with a serial number issued by a firearms
69 importer or manufacturer in accordance with federal law and any
70 regulations adopted thereunder unless the firearm:

71 1. Has been rendered permanently inoperable;

72 2. Is an antique firearm; or

73 3. Has been determined to be a collector's item pursuant to
74 26 U.S.C. chapter 53 or a curio or relic pursuant to 18 U.S.C.
75 chapter 44.

76 (b) A person who violates this subsection commits:

77 1. For the first offense, a misdemeanor of the first
78 degree, punishable as provided in s. 775.082 or s. 775.083; or

79 2. For a second or subsequent offense, a felony of the
80 third degree, punishable as provided in s. 775.082, s. 775.083,
81 or s. 775.084.

82 (5) (a) After January 1, 2023, a person may not possess,
83 sell, offer to sell, transfer, purchase, transport, or receive a
84 firearm that is not imprinted with a serial number issued by a
85 firearms importer or manufacturer in accordance with federal law
86 and any regulations adopted thereunder unless:

87 1. The person is:

29-00915-22

2022872__

- 88 a. A law enforcement agency; or
89 b. A firearms importer or manufacturer, and in the case of
90 a sale, an offer to sell, or a transfer, the purchaser or
91 transferee is a firearms importer or manufacturer; or
92 2. The firearm:
93 a. Has been rendered permanently inoperable;
94 b. Was manufactured before 1969;
95 c. Is an antique firearm; or
96 d. Has been determined to be a collector's item pursuant to
97 26 U.S.C. chapter 53 or a curio or relic pursuant to 18 U.S.C.
98 chapter 44.
99 (b) A person who violates this subsection commits:
100 1. For the first offense:
101 a. If the offense is a possession violation, a misdemeanor
102 of the second degree, punishable as provided in s. 775.082 or s.
103 775.083; or
104 b. If the offense is any other violation, a misdemeanor of
105 the first degree, punishable as provided in s. 775.082 or s.
106 775.083; or
107 2. For a second or subsequent offense, a felony of the
108 third degree, punishable as provided in s. 775.082, s. 775.083,
109 or s. 775.084.
110 Section 2. This act does not prohibit the sale of an
111 unfinished frame or receiver or firearm that is not imprinted
112 with a serial number to a firearms importer or manufacturer or a
113 licensed dealer before January 1, 2023. As used in this section,
114 the term "licensed dealer" means a person who holds a license as
115 a dealer in firearms which is issued pursuant to 18 U.S.C. s.
116 923(a).

29-00915-22

2022872__

117

Section 3. This act shall take effect October 1, 2022.