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LEGISLATIVE ACTION

Senate

House

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Floor: WD

04/29/2025 10:20 AM

Senator Polsky moved the following:

Senate Amendment (with title amendment)

Between lines 167 and 168

insert:

Section 7. Section 790.174, Florida Statutes, is amended to
read:

790.174 Safe storage of firearms required.—

(1) A person safely stores a firearm as defined in s.

790.001 by:

(a) Keeping the firearm in a securely locked safe;

(b) Keeping the firearm in a securely locked container,



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12 including, but not limited to, a lockbox, drawer, cabinet, or
13 case; or

14 (c) Equipping the firearm with a tamper-resistant
15 mechanical lock or other safety device, properly engaged in
16 order to render the firearm inoperable by any person other than
17 the owner or other lawfully authorized user. Such devices
18 include, but are not limited to, a trigger lock or cable lock.

19 (2) A person who stores or leaves, ~~on a premise under his~~
20 ~~or her control,~~ a loaded firearm, as defined in s. 790.001 in
21 any place must safely store the firearm in accordance with this
22 section, and who knows or reasonably should know that a minor is
23 likely to gain access to the firearm without the lawful
24 permission of the minor's parent or the person having charge of
25 the minor, or without the supervision required by law, shall
26 keep the firearm in a securely locked box or container or in a
27 location which a reasonable person would believe to be secure or
28 shall secure it with a trigger lock, except when the person or
29 other lawfully authorized user is carrying the firearm on his or
30 her body or within such close proximity thereto that he or she
31 can retrieve and use it as easily and quickly as if he or she
32 carried it on his or her body. Except as provided in subsection
33 (3) or subsection (4), a person who violates this subsection
34 commits:

35 (a) For a first offense, a noncriminal infraction,
36 punishable by a fine of \$100.

37 (b) For a second or subsequent offense, a misdemeanor of
38 the second degree, punishable as provided in s. 775.082 or s.
39 775.083.

40 (3) A person who violates subsection (2) commits a



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misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the firearm is loaded and stored in a place and manner that he or she knows or reasonably should know creates a likelihood of a minor being able to gain access to the firearm.

(4) A person whose unlawful storage of a firearm under this section causes another person to access and unlawfully discharge the firearm commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This subsection does not apply if the firearm was obtained by the unlawful entry of a dwelling by any person.

(5) Evidence obtained solely as a result of a person reporting the theft of a firearm to a law enforcement agency is inadmissible in an action under this section.

~~(2) It is 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.~~

(6)(3) As used in this section act, the term "minor" means a any person younger than under the age of 16 years of age.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Between lines 22 and 23

insert:

amending s. 790.174, F.S.; specifying what qualifies
as safely storing a firearm; revising requirements
relating to the safe storage of firearms; providing
penalties; revising and providing criminal penalties;
revising applicability; providing for the
inadmissibility of certain evidence;