FLORIDA HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: HB 95	**COMPANION BILL:** CS/SB 52 (Gaetz)
TITLE: Security Services on Religious Premises	**LINKED BILLS:** None
SPONSOR(S): Grow and Blanco	**RELATED BILLS:** None

FINAL HOUSE FLOOR ACTION: 111 **Y's** 1 **N's** **GOVERNOR'S ACTION:** Approved

SUMMARY

Effect of the Bill:
The bill exempts a person from the licensing and regulatory requirements in ch. 493, F.S., for private security, investigative, and recovery services if such person, on a voluntary basis and without compensation, provides armed security services on the premises of a church, mosque, synagogue, or other place of worship.

By expressly excluding specified persons who provide armed security services for a church or other place of worship from the requirement to be licensed by the Department of Agriculture and Consumer Services as a security officer, the bill clarifies that such persons are *not* unlawfully providing security services without a license, which could subject such persons to criminal and civil penalties.

Fiscal or Economic Impact:
None.

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ANALYSIS

EFFECT OF THE BILL:

HB 95 passed as CS/SB 52.

The bill specifies that the licensing requirements in ch. 493, F.S., for private security services, private investigative services, and repossession services, do *not* apply to any person who, on a voluntary basis and without compensation, provides armed security services on the premises of a church, mosque, synagogue, or other place of worship. (Section 1)

By expressly *excluding* a person who meets the specified criteria from the licensing requirements in ch. 493, F.S., the bill authorizes such a person to provide armed security services in a church or other place of worship without having to meet the licensing requirements that he or she would otherwise be required to comply with in order to provide such services, and also clarifies that a person who provides such services is *not* unlawfully providing security services without a license, which may subject a person to criminal prosecution and civil penalties.

The bill was approved by the Governor on April 23, 2026, ch. 2026-46, L.O.F., and will become effective on July 1, 2026. (Section 3)

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Chapter 493, F.S. Licensees

The Division of Licensing (DOL) within the Department of Agriculture and Consumer Services (DACS) is responsible for licensing and regulating the private security, private investigative, and recovery industries.[1] The DOL's regulatory oversight of those services includes licensing, enforcing compliance standards, and ensuring public protection from unethical business practices and unlicensed activity.

Private Security Services

Under ch. 493, F.S., a "security officer" is an individual who, for consideration:

- Performs bodyguard services or otherwise guards persons or property;
- Attempts to prevent theft or unlawful taking of goods, wares, and merchandise;
- Attempts to prevent the misappropriation or concealment of goods, wares or merchandise, money, bonds, stocks, choses in action, notes, or other documents, papers, and articles of value or to procure the return of such items;
- Serves as armored car personnel; or
- Is engaged in the transportation of prisoners.[2]

A person who performs the services of a security officer must have a Class "D" license, which is valid for a period of three years.[3] An applicant for a Class "D" license must:

- Be at least 18 years old.
- Be a citizen or legal resident alien of the United States.
- Have no disqualifying criminal history.
- Have no disqualifying history of mental illness or substance abuse.
- Successfully complete a minimum of 40 hours of professional training at a school or training facility licensed by DACS.
- Pay a licensing fee.[4]

To carry a firearm, a Class "D" licensee must also obtain a Class "G" Statewide Firearm License.[5] An initial applicant for a Class "G" license must complete at least 28 hours of firearm training, 8 of which must consist of in-person range training.[6] A Class "G" license is valid for a period of two years, however, a Class "G" licensee must annually submit proof to DACS that he or she completed a minimum of four hours of specified firearms requalification training.[7]

Exceptions to Licensure

Although a person is generally required to obtain a license to perform private security, investigative, and recovery services, there are exceptions to the licensure requirement. Specific to activities similar to those provided by a private security service, there are exceptions to licensure for:

- Any officer[8] engaged in the performance of his or her official duties or when performing off-duty security activities approved by her or his superiors.[9]
- Any unarmed individual engaged in security services who is employed exclusively to work on the premises of her or his employer, or in connection with the business of her or his employer, when there exists an employer-employee relationship.[10]

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[1] Ch. 493, F.S.
[2] S. 493.6101, F.S.
[3] S. 493.6301(4), F.S. Florida Department of Agriculture and Consumer Services, *Private Security Licenses*, https://www.fdacs.gov/Business-Services/Private-Security-Licenses (last visited Apr. 27, 2026).
[4] Ss. 493.6106, 493.6302 and 493.6303, F.S.
[5] S. 493.6115, F.S.
[6] S. 493.6105(5), F.S.
[7] S. 493.6113(1) and (3)(b), F.S.
[8] "Officer" means any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer. S. 943.10(14), F.S.
[9] S. 493.6102(1), F.S.
[10] S. 493.6102(4), F.S.

- Any security agency or private investigative agency, and employees thereof, performing contractual security or investigative services solely and exclusively for any agency of the United States.[11]
- *Any individual employed as a security officer by a church or ecclesiastical or denominational organization having an established physical place of worship in this state at which nonprofit religious services and activities are regularly conducted or by a church cemetery to provide security on the property of the organization or cemetery, and who does not carry a firearm in the course of her or his duties.*[12]

Providing Security Services Without a License

DACS is responsible for investigating any suspected violation of ch. 493, F.S., including investigations related to a person providing private security, investigative, or recovery services without a license.[13] A person who performs such services without a license commits a first degree misdemeanor.[14] A person who commits a second or subsequent violation commits a third degree felony,[15] and DACS is authorized to impose a civil penalty of up to $10,000 for a violation.[16]

Carrying a Concealed Weapon or Concealed Firearm

Generally, a person is authorized to carry a concealed weapon[17] or concealed firearm[18] under s. 790.01, F.S., if he or she:

- Has a concealed weapons or concealed firearm license (CWL) issued under s. 790.06, F.S.; or
- Does not have a CWL, but otherwise satisfies the criteria for receiving and maintaining a CWL, except that such person is not required to demonstrate competency with a firearm or affirmatively state he or she desires a legal means to carry a concealed weapon or concealed firearm for lawful self-defense.

A person who unlawfully carries a concealed weapon or electric weapon or device[19] commits a first degree misdemeanor. A person who unlawfully carries a concealed firearm commits a third degree felony.

Concealed Weapons or Concealed Firearms License

Section 790.06, F.S., specifies the criteria that a person must meet in order to be issued a CWL, the process for issuing and renewing a CWL, the circumstances under which a CWL is subject to revocation, and specified limitations on where a CWL holder may carry a concealed weapon or concealed firearm. A CWL[20] does not authorize a person to carry a concealed weapon or concealed firearm into:

- Any place of nuisance as defined in s. 823.05, F.S.;
- Any police, sheriff, or highway patrol station;
- Any detention facility, prison, or jail;
- Any courthouse;
- Any courtroom, except that a judge may carry a concealed weapon or concealed firearm and determine who may carry a concealed weapon or concealed firearm in his or her courtroom;
- Any polling place;
- Any meeting of a local governing body;

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[11] S. 493.6102(9), F.S.
[12] S. 493.6102(13), F.S.
[13] S. 493.6121, F.S.
[14] S. 493.6120(1)(a)1., F.S. A first degree misdemeanor is punishable by up to one year in jail and a $1,000 fine. Ss. 775.082 or 775.083, F.S.
[15] A third degree felony is punishable by up to five years imprisonment and a $5,000 fine. Ss. 775.082, 775.083, or 775.084, F.S.
[16] S. 493.6120(1)(a)2., F.S.
[17] "Concealed weapon" means any dirk, metallic knuckles, billie, tear gas gun, chemical weapon or device, or other deadly weapon carried on or about a person in such a manner as to conceal the weapon from the ordinary sight of another person. S. 790.001(4)(a), F.S.
[18] "Concealed firearm" means any firearm, as defined in s. 790.001(9), F.S., which is carried on or about a person in such a manner as to conceal the firearm from the ordinary sight of another person. S. 790.001(3), F.S.
[19] "Electric weapon or device" means any device which, through the application or use of electrical current, is designed, redesigned, used, or intended to be used for offensive or defensive purposes, the destruction of life, or the infliction of injury. S. 790.001(7), F.S.
[20] A person who carries a concealed firearm without a CWL is likewise not authorized to carry a concealed firearm into any of the locations listed in s. 790.06, F.S. S. 790.013(2), F.S.

- Any meeting of the Legislature or committee thereof;
- Any school, college, or professional athletic event not related to firearms;
- Any elementary or secondary school facility or administration building;[21]
- Any career center;
- Any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose;
- Any college or university facility unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or nonlethal electric weapon or device designed solely for defensive purposes and the weapon does not fire a dart or projectile;
- The inside of the passenger terminal and sterile area of any airport, provided no person is prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; or
- Any place where the carrying of firearms is prohibited by federal law.[22]

A CWL holder who knowingly and willfully carries a concealed weapon or concealed firearm into any unauthorized location commits a second degree misdemeanor.[23]

Carrying a Concealed Weapon or Concealed Firearm on Church Property
Generally, a person is not prohibited from carrying a weapon or firearm on the property of a church or other religious institution. A person who has a CWL is explicitly authorized to carry a concealed weapon or concealed firearm on property owned, rented, leased, borrowed, or lawfully used by a church, synagogue, or other religious institution, notwithstanding any other law, for the purposes of safety, security, personal protection, or any other lawful purpose.[24] However, this authorization does not limit the private property rights of a church, synagogue, or other religious institution to exercise control over property that the church, synagogue, or other religious institution owns, rents, leases, borrows, or lawfully uses.[25] As such, a church, synagogue, or other religious institution may prohibit a person from possessing a weapon or firearm on its property.

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[21] The Federal "Gun-Free School Zones Act," (Act) at 18 U.S.C. §922(q), prohibits a person from knowingly possessing a firearm on the grounds of, or within 1,000 feet of the grounds of, a public, parochial, or private school. The Act does not apply to the possession of a firearm:
- On private property that is not part of school grounds;
- If the individual possessing the firearm is licensed to do so by the state in which the school zone is located or a political subdivision of the state, and the law of the state or political subdivision requires that, before an individual obtains such a license, the law enforcement authorities of the state or political subdivision verify that the individual is qualified under law to receive the license;
- That is:
  - Not loaded; and
  - In a locked container, or a locked firearms rack that is on a motor vehicle;
- By an individual for use in a program approved by a school in the school zone;
- By an individual in accordance with a contract entered into between a school in the school zone and the individual or an employer of the individual;
- By a law enforcement officer acting in his or her official capacity; or
- That is unloaded and is possessed by an individual while traversing school premises for the purpose of gaining access to public or private lands open to hunting, if the entry on school premises is authorized by school authorities.

A violation of the Act is punishable by up to five years imprisonment and a $5,000 fine. 18 U.S.C. §924(a)(4).

[22] S. 790.06(12)(a), F.S.

[23] S. 790.06(12)(d), F.S. A second degree misdemeanor is punishable by up to 60 days in jail and a $500 fine. Ss. 775.082 or 775.083, F.S.

[24] S. 790.06(13), F.S.

[25] *Id.*