

By Senator Smith

29-01122-12

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1                                   A bill to be entitled  
2           An act relating to concealed weapons and firearms;  
3           amending s. 790.33, F.S.; creating an exception to the  
4           preemption of the regulation of firearms to the  
5           Legislature to allow a state agency or local  
6           government to prohibit the possession of a concealed  
7           firearm in a publicly owned building during a sporting  
8           event conducted in the building; providing an  
9           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 (4) of section 790.33, Florida  
14 Statutes, is amended to read:

15           790.33 Field of regulation of firearms and ammunition  
16 preempted.—

17           (4) EXCEPTIONS.—This section does not prohibit:

18           (a) Zoning ordinances that encompass firearms businesses  
19 along with other businesses, except that zoning ordinances that  
20 are designed for the purpose of restricting or prohibiting the  
21 sale, purchase, transfer, or manufacture of firearms or  
22 ammunition as a method of regulating firearms or ammunition are  
23 in conflict with this subsection and are prohibited;

24           (b) A duly organized law enforcement agency from enacting  
25 and enforcing regulations pertaining to firearms, ammunition, or  
26 firearm accessories issued to or used by peace officers in the  
27 course of their official duties;

28           (c) Except as provided in s. 790.251, any entity subject to  
29 the prohibitions of this section from regulating or prohibiting

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30 the carrying of firearms and ammunition by an employee of the  
31 entity during and in the course of the employee's official  
32 duties;

33 (d) A court or administrative law judge from hearing and  
34 resolving any case or controversy or issuing any opinion or  
35 order on a matter within the jurisdiction of that court or  
36 judge; ~~or~~

37 (e) The Florida Fish and Wildlife Conservation Commission  
38 from regulating the use of firearms or ammunition as a method of  
39 taking wildlife and regulating the shooting ranges managed by  
40 the commission; ~~or~~

41 (f) A state agency or local government from prohibiting a  
42 person licensed to carry a concealed weapon or firearm from  
43 possessing a concealed firearm and ammunition in a publicly  
44 owned building during a sporting event conducted in the  
45 building.

46 Section 2. This act shall take effect July 1, 2012.