

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Fitzenhagen offered the following:

Amendment

5 Remove everything after the enacting clause and insert:

6 Section 1. Section 790.01, Florida Statutes, is amended to
 7 read:

8 790.01 Unlicensed Carrying of concealed weapons or
 9 concealed firearms.—

10 (1) Except as provided in subsection (3) ~~(4)~~, a person who
 11 is not licensed under s. 790.06 and who carries a concealed
 12 weapon or electric weapon or device on or about his or her
 13 person commits a misdemeanor of the first degree, punishable as
 14 provided in s. 775.082 or s. 775.083.

15 (2) Except as provided in subsection (3), A person who is
 16 not licensed under s. 790.06 and who carries a concealed firearm
 17 on or about his or her person commits a felony of the third

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18 degree, punishable as provided in s. 775.082, s. 775.083, or s.
19 775.084.

20 (3) This section does not apply to: ~~a person licensed to~~
21 ~~carry a concealed weapon or a concealed firearm pursuant to the~~
22 ~~provisions of s. 790.06.~~

23 (a) A person who carries a concealed weapon, or a person
24 who may lawfully possess a firearm and who carries a concealed
25 firearm, on or about his or her person while in the act of
26 complying with a mandatory evacuation order issued during a
27 state of emergency declared by the Governor pursuant to chapter
28 252 or declared by a local authority pursuant to chapter 870.

29 ~~(b)(4) It is not a violation of this section for a person~~
30 ~~who carries to carry~~ for purposes of lawful self-defense, in a
31 concealed manner:

32 1.(a) A self-defense chemical spray.

33 2.(b) A nonlethal stun gun or dart-firing stun gun or
34 other nonlethal electric weapon or device that is designed
35 solely for defensive purposes.

36 ~~(4)(5)~~ This section does not preclude any prosecution for
37 the use of an electric weapon or device, a dart-firing stun gun,
38 or a self-defense chemical spray during the commission of any
39 criminal offense under s. 790.07, s. 790.10, s. 790.23, or s.
40 790.235, or for any other criminal offense.

41 Section 2. This act shall take effect July 1, 2014.