

By the Committee on Agriculture; and Senators Simpson, Latvala, Bean, Benacquisto, Hays, Brandes, Bradley, Negron, Dean, Evers, Stargel, and Galvano

575-01837-14

2014544c1

1 A bill to be entitled
2 An act relating to licensure to carry a concealed
3 weapon or firearm; amending s. 790.06, F.S.;
4 authorizing an applicant for a license to carry a
5 concealed weapon or firearm to submit the application
6 to an appointed tax collector; creating s. 790.0625,
7 F.S.; defining terms; authorizing the Department of
8 Agriculture and Consumer Services to appoint tax
9 collectors to accept applications for new or renewal
10 licenses to carry a concealed weapon or firearm on
11 behalf of the Division of Licensing of the Department
12 of Agriculture and Consumer Services; requiring a tax
13 collector seeking appointment to submit a written
14 request to the division; providing requirements for
15 the request; requiring the division and an appointed
16 tax collector to enter into a memorandum of
17 understanding; authorizing the department or the
18 division to rescind a memorandum of understanding at
19 any time; providing that certain personal identifying
20 information of applicants for licensure is
21 confidential and exempt; establishing license fees for
22 new and renewal applications; requiring an appointed
23 tax collector to remit fees to the department;
24 prohibiting a tax collector from maintaining a list or
25 record of concealed weapon or firearm licensees or
26 applicants; prohibiting a person from processing a
27 concealed weapon or firearm application for a fee or
28 compensation unless he or she has been appointed by
29 the department to do so; providing for criminal

575-01837-14

2014544c1

penalties; providing an appropriation; authorizing a specified number of full-time equivalent positions with associated salary rate within the department; providing an effective date.

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

Section 1. Subsection (5) of section 790.06, Florida Statutes, is amended to read:

790.06 License to carry concealed weapon or firearm.—

(5) The applicant shall submit to the Department of Agriculture and Consumer Services or an approved tax collector pursuant to s. 790.0625:

(a) A completed application as described in subsection (4).

(b) A nonrefundable license fee of up to ~~not to exceed~~ \$70, if he or she has not previously been issued a statewide license, ~~or of up to a nonrefundable license fee not to exceed~~ \$60 for renewal of a statewide license. The cost of ~~Costs for~~ processing ~~the set of~~ fingerprints as required in paragraph (c) is ~~shall be~~ borne by the applicant. However, an individual holding an active certification from the Criminal Justice Standards and Training Commission as a "law enforcement officer," "correctional officer," or "correctional probation officer" as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) is exempt from the licensing requirements of this section. If such ~~any~~ individual ~~holding an active certification from the Criminal Justice Standards and Training Commission as a "law enforcement officer," a "correctional officer," or a "correctional probation officer" as defined in s. 943.10(1), (2), (3), (6), (7), (8), or~~

575-01837-14

2014544c1

59 ~~(9)~~ wishes to receive a concealed weapons or firearms license,
60 he or she ~~such person~~ is exempt from the background
61 investigation and all background investigation fees, but must
62 ~~shall~~ pay the current license fees regularly required to be paid
63 by nonexempt applicants. Further, a law enforcement officer, a
64 correctional officer, or a correctional probation officer as
65 defined in s. 943.10(1), (2), or (3) is exempt from the required
66 fees and background investigation for a period of 1 year after
67 his or her ~~subsequent to the date of retirement of said officer~~
68 ~~as a law enforcement officer, a correctional officer, or a~~
69 ~~correctional probation officer.~~

70 (c) A full set of fingerprints of the applicant
71 administered by a law enforcement agency or the Division of
72 Licensing of the Department of Agriculture and Consumer Services
73 or an approved tax collector pursuant to s. 790.0625.

74 (d) A photocopy of a certificate, or an affidavit, or
75 document as described in paragraph (2) (h).

76 (e) A full frontal view color photograph of the applicant
77 taken within the preceding 30 days, in which the head, including
78 hair, measures 7/8 of an inch wide and 1 1/8 inches high.

79 Section 2. Section 790.0625, Florida Statutes, is created
80 to read:

81 790.0625 Appointment of tax collectors to accept
82 applications for a concealed weapon or firearm license; fees;
83 penalties.-

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

85 (a) "Department" means the Department of Agriculture and
86 Consumer Services.

87 (b) "Division" means the Division of Licensing of the

575-01837-14

2014544c1

88 Department of Agriculture and Consumer Services.

89 (2) The department, at its discretion, may appoint tax
90 collectors, as defined in s. 1(d) of Art. VIII of the State
91 Constitution, to accept applications on behalf of the division
92 for concealed weapon or firearm licenses. Such appointment shall
93 be for specified locations that will best serve the public
94 interest and convenience in applying for these licenses.

95 (3) A tax collector seeking to be appointed to accept
96 applications for new or renewal concealed weapon or firearm
97 licenses must submit a written request to the division stating
98 his or her name, address, telephone number, each location within
99 the county at which the tax collector wishes to accept
100 applications, and other information as required by the division.

101 (a) Upon receipt of a written request, the division shall
102 review it and at its discretion may decline to enter into a
103 memorandum of understanding or, if approved, enter into a
104 memorandum of understanding with the tax collector to accept
105 applications for new or renewal concealed weapon or firearm
106 licenses on behalf of the department.

107 (b) The department or the division may rescind a memorandum
108 of understanding for any reason at any time.

109 (4) All personal identifying information that is provided
110 pursuant to s. 790.06 and contained in the records of a tax
111 collector appointed under this section is confidential and
112 exempt as provided in s. 790.0601.

113 (5) A tax collector appointed under this section may
114 collect and retain a convenience fee of \$22 for each new
115 application and \$12 for each renewal and shall remit weekly to
116 the department the license fees for deposit in the Division of

575-01837-14

2014544c1

117 Licensing Trust Fund.

118 (6) (a) A tax collector appointed under this section may not
119 maintain a list or record of persons who apply for or are
120 granted a new or renewal license to carry a concealed weapon or
121 firearm. A violation of this paragraph is subject to s. 790.335.

122 (b) A person may not handle an application for a concealed
123 weapon or firearm for a fee or compensation of any kind unless
124 he or she has been appointed by the department to do so.

125 (7) A person who willfully violates this section commits a
126 misdemeanor of the second degree, punishable as provided in s.
127 775.082 or s. 775.083.

128 Section 3. For the 2014-2015 fiscal year, there is
129 appropriated to the Department of Agriculture and Consumer
130 Services the sums of \$707,608 in recurring and \$105,503 in
131 nonrecurring funds from the Division of Licensing Trust Fund,
132 and 11 full-time equivalent positions with associated salary
133 rate of 295,751 are authorized for the purpose of implementing
134 this act.

135 Section 4. This act shall take effect July 1, 2014.