

Amendment No. 8

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	_____	(Y/N)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

1 Committee/Subcommittee hearing bill: Agriculture & Property
 2 Rights Subcommittee
 3 Representative Raburn offered the following:
 4

Amendment (with title amendment)

6 Between lines 786 and 787, insert:

7 Section 27. Subsections (2) and (4) of section 790.06,
 8 Florida Statutes, are amended to read:

9 790.06 License to carry concealed weapon or firearm.—

10 (2) The Department of Agriculture and Consumer Services
 11 shall issue a license if the applicant:

12 (a) Is a resident of the United States and a citizen of
 13 the United States or a permanent resident alien of the United
 14 States, as determined by the United States Bureau of Citizenship
 15 and Immigration Services, or is a consular security official of
 16 a foreign government that maintains diplomatic relations and

Amendment No. 8

17 treaties of commerce, friendship, and navigation with the United
18 States and is certified as such by the foreign government and by
19 the appropriate embassy in this country;

20 (b) Is 21 years of age or older;

21 (c) Does not suffer from a physical infirmity which
22 prevents the safe handling of a weapon or firearm;

23 (d) Is not ineligible to possess a firearm pursuant to s.
24 790.23 by virtue of having been convicted of a felony;

25 (e) Has not been: ~~committed for the abuse of a controlled~~
26 ~~substance or been~~

27 1. Found guilty of a crime under the provisions of chapter
28 893 or similar laws of any other state relating to controlled
29 substances within a 3-year period immediately preceding the date
30 on which the application is submitted; or

31 2. Committed for the abuse of a controlled substance under
32 chapter 397 or under the provisions of former chapter 396 or
33 similar laws of any other state. An applicant who has been
34 granted relief from firearms disabilities pursuant to s.
35 790.065(2)(a)4.d. or pursuant to the law of the state in which
36 the commitment occurred is deemed not to be committed for the
37 abuse of a controlled substance under this subparagraph;

38 (f) Does not chronically and habitually use alcoholic
39 beverages or other substances to the extent that his or her
40 normal faculties are impaired. It shall be presumed that an
41 applicant chronically and habitually uses alcoholic beverages or

Amendment No. 8

42 other substances to the extent that his or her normal faculties
43 are impaired if the applicant has been ~~committed under chapter~~
44 ~~397 or under the provisions of former chapter 396 or has been~~
45 convicted under s. 790.151 or has been deemed a habitual
46 offender under s. 856.011(3), or has had two or more convictions
47 under s. 316.193 or similar laws of any other state, within the
48 3-year period immediately preceding the date on which the
49 application is submitted;

50 (g) Desires a legal means to carry a concealed weapon or
51 firearm for lawful self-defense;

52 (h) Demonstrates competence with a firearm by any one of
53 the following:

54 1. Completion of any hunter education or hunter safety
55 course approved by the Fish and Wildlife Conservation Commission
56 or a similar agency of another state;

57 2. Completion of any National Rifle Association firearms
58 safety or training course;

59 3. Completion of any firearms safety or training course or
60 class available to the general public offered by a law
61 enforcement agency, junior college, college, or private or
62 public institution or organization or firearms training school,
63 using instructors certified by the National Rifle Association,
64 Criminal Justice Standards and Training Commission, or the
65 Department of Agriculture and Consumer Services;

66 4. Completion of any law enforcement firearms safety or

Amendment No. 8

67 training course or class offered for security guards,
68 investigators, special deputies, or any division or subdivision
69 of a law enforcement agency or security enforcement;

70 5. Presents evidence of equivalent experience with a
71 firearm through participation in organized shooting competition
72 or military service;

73 6. Is licensed or has been licensed to carry a firearm in
74 this state or a county or municipality of this state, unless
75 such license has been revoked for cause; or

76 7. Completion of any firearms training or safety course or
77 class conducted by a state-certified or National Rifle
78 Association certified firearms instructor;

79
80 A photocopy of a certificate of completion of any of the courses
81 or classes; an affidavit from the instructor, school, club,
82 organization, or group that conducted or taught such course or
83 class attesting to the completion of the course or class by the
84 applicant; or a copy of any document that shows completion of
85 the course or class or evidences participation in firearms
86 competition shall constitute evidence of qualification under
87 this paragraph. A person who conducts a course pursuant to
88 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
89 an instructor, attests to the completion of such courses, must
90 maintain records certifying that he or she observed the student
91 safely handle and discharge the firearm in his or her physical

Amendment No. 8

92 presence and that the discharge of the firearm included live
93 fire using a firearm and ammunition as defined in s. 790.001;

94 (i) Has not been adjudicated an incapacitated person under
95 s. 744.331, or similar laws of any other state. An applicant who
96 has been granted relief from firearms disabilities pursuant to
97 s. 790.065(2)(a)4.d. or pursuant to the law of the state in
98 which the adjudication occurred is deemed not to have been
99 adjudicated an incapacitated person under this paragraph, unless
100 5 years have elapsed since the applicant's restoration to
101 capacity by court order;

102 (j) Has not been committed to a mental institution under
103 chapter 394, or similar laws of any other state. An applicant
104 who has been granted relief from firearms disabilities pursuant
105 to s. 790.065(2)(a)4.d. or pursuant to the law of the state in
106 which the commitment occurred is deemed not to have been
107 committed in a mental institution under this paragraph, unless
108 the applicant produces a certificate from a licensed
109 psychiatrist that he or she has not suffered from disability for
110 at least 5 years before the date of submission of the
111 application;

112 (k) Has not had adjudication of guilt withheld or
113 imposition of sentence suspended on any felony unless 3 years
114 have elapsed since probation or any other conditions set by the
115 court have been fulfilled, or expunction has occurred;

116 (l) Has not had adjudication of guilt withheld or

Amendment No. 8

117 imposition of sentence suspended on any misdemeanor crime of
118 domestic violence unless 3 years have elapsed since probation or
119 any other conditions set by the court have been fulfilled, or
120 the record has been expunged;

121 (m) Has not been issued an injunction that is currently in
122 force and effect and that restrains the applicant from
123 committing acts of domestic violence or acts of repeat violence;
124 and

125 (n) Is not prohibited from purchasing or possessing a
126 firearm by any other provision of Florida or federal law.

127 (4) The application shall be completed, under oath, on a
128 form adopted by the Department of Agriculture and Consumer
129 Services and shall include:

130 (a) The name, address, place of birth, date of birth, and
131 race of the applicant;

132 (b) A statement that the applicant is in compliance with
133 criteria contained within subsections (2) and (3);

134 (c) A statement that the applicant has been furnished a
135 copy of or a website link to this chapter and is knowledgeable
136 of its provisions;

137 (d) A conspicuous warning that the application is executed
138 under oath and that a false answer to any question, or the
139 submission of any false document by the applicant, subjects the
140 applicant to criminal prosecution under s. 837.06;

141 (e) A statement that the applicant desires a concealed

Amendment No. 8

142 | weapon or firearms license as a means of lawful self-defense;
143 | and

144 | (f) Directions for an applicant who is a servicemember, as
145 | defined in s. 250.01, or a veteran, as defined in s. 1.01, to
146 | request expedited processing of his or her application.
147 |
148 |

149 | -----

150 | **T I T L E A M E N D M E N T**

151 | Remove line 84 and insert:
152 | exempt from certain dealer requirements; amending s.
153 | 790.06, F.S.; revising the requirements to obtain a
154 | license to carry a concealed weapon or firearm;
155 | revising the requirements of the application form;
156 | providing an