



885812

LEGISLATIVE ACTION

Senate

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House

Senator Rodriguez moved the following:

Senate Amendment (with title amendment)

Between lines 409 and 410

insert:

Section 9. Section 790.174, Florida Statutes, is amended to read:

790.174 Safe storage of firearms required.-

(1) As used in this section, the term "minor" means a person younger than 18 years of age.

(2)~~(1)~~ A person who stores or leaves, on a premise under his or her control, a loaded firearm, as defined in s. 790.001,



885812

12 and who knows or reasonably should know that a minor is likely
13 to gain access to the firearm without the lawful permission of
14 the minor's parent or the person having charge of the minor, or
15 without the supervision required by law, shall keep the firearm
16 in a securely locked box or container ~~or in a location which a~~
17 ~~reasonable person would believe to be secure~~ or shall secure it
18 with a trigger lock, ~~except when the person is carrying the~~
19 ~~firearm on his or her body or within such close proximity~~
20 ~~thereto that he or she can retrieve and use it as easily and~~
21 ~~quickly as if he or she carried it on his or her body.~~

22 (3)(2) It is A person who violates subsection (2) commits a
23 misdemeanor of the second degree, punishable as provided in s.
24 775.082 or s. 775.083, ~~if a person violates subsection (1) by~~
25 ~~failing to store or leave a firearm in the required manner and~~
26 ~~as a result thereof a minor gains access to the firearm, without~~
27 ~~the lawful permission of the minor's parent or the person having~~
28 ~~charge of the minor, and possesses or exhibits it, without the~~
29 ~~supervision required by law:~~

30 ~~(a) In a public place; or~~

31 ~~(b) In a rude, careless, angry, or threatening manner in~~
32 ~~violation of s. 790.10.~~

33
34 ~~This subsection does not apply if the minor obtains the firearm~~
35 ~~as a result of an unlawful entry by any person.~~

36 ~~(3) As used in this act, the term "minor" means any person~~
37 ~~under the age of 16.~~

38 Section 10. For the purpose of incorporating the amendment
39 made by this act to section 790.174, Florida Statutes, in a
40 reference thereto, paragraph (f) of subsection (5) of section



885812

41 409.175, Florida Statutes, is reenacted to read:

42 409.175 Licensure of family foster homes, residential
43 child-caring agencies, and child-placing agencies; public
44 records exemption.-

45 (5)

46 (f) The department's rules shall include adoption of a form
47 to be used by child-placing agencies during an adoption home
48 study that requires all prospective adoptive applicants to
49 acknowledge in writing the receipt of a document containing
50 solely and exclusively the language provided for in s. 790.174
51 verbatim.

52

53 ===== T I T L E A M E N D M E N T =====

54 And the title is amended as follows:

55 Between lines 58 and 59

56 insert:

57 amending s. 790.174, F.S.; redefining the term
58 "minor"; requiring that, in specified circumstances, a
59 loaded firearm be kept in a securely locked box or
60 container or be secured with a trigger lock; deleting
61 conditions that pertain to the crime of failing to
62 safely store, leave, or secure a loaded firearm in a
63 specified manner; reenacting s. 409.175(5)(f), F.S.,
64 relating to certain rules of the Department of
65 Children and Families, to incorporate the amendment
66 made to s. 790.174, F.S., in a reference thereto;