

By Senator Campbell

33-1336-98

See HB

1 A bill to be entitled
 2 An act relating to discharging firearms in
 3 public; amending s. 790.15, F.S.; reclassifying
 4 from a misdemeanor of the first degree to a
 5 felony of the third degree the offense of
 6 knowingly discharging a firearm in any public
 7 place, on or over the right-of-way of a paved
 8 public road, highway, or street, or over
 9 occupied premises; providing penalties;
 10 providing enhanced penalties for habitual
 11 offenders; providing exceptions; conforming a
 12 reference; providing an effective date.

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

16 Section 1. Subsection (1) of section 790.15, Florida
 17 Statutes, is amended to read:

18 790.15 Discharging firearm in public.--

19 (1) Except as provided in subsection (2) ~~or subsection~~
 20 ~~(3)~~, any person who knowingly discharges a firearm in any
 21 public place, or on or over the right-of-way of any paved
 22 public road, highway, or street, or ~~whosoever knowingly~~
 23 ~~discharges any firearm over the right-of-way of any paved~~
 24 ~~public road, highway, or street or over any occupied premises~~
 25 commits ~~is guilty of a~~ felony ~~misdemeanor~~ of the third ~~first~~
 26 degree, punishable as provided in s. 775.082, or s. 775.083,
 27 or s. 775.084. This section does not apply to a person
 28 lawfully defending life or property or performing official
 29 duties requiring the discharge of a firearm or to a person
 30 discharging a firearm on public roads or properties expressly
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1 approved for hunting by the Game and Fresh Water Fish
2 Commission or Division of Forestry.
3 (2) Any occupant of any vehicle who knowingly and
4 willfully discharges any firearm from the vehicle within 1,000
5 feet of any person commits a felony of the second degree,
6 punishable as provided in s. 775.082, s. 775.083, or s.
7 775.084.
8 (3) Any driver or owner of any vehicle, whether or not
9 the owner of the vehicle is occupying the vehicle, who
10 knowingly directs any other person to discharge any firearm
11 from the vehicle commits a felony of the third degree,
12 punishable as provided in s. 775.082, s. 775.083, or s.
13 775.084.
14 Section 2. This act shall take effect October 1 of the
15 year in which enacted.

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18 HOUSE SUMMARY

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20 Reclassifies from a misdemeanor of the first degree to a
21 felony of the third degree the offense of knowingly
22 discharging a firearm in any public place, on or over the
23 right-of-way of a paved public road, highway, or street,
24 or over occupied premises. Provides penalties, including
25 enhanced penalties for habitual offenders.
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