

By the Committee on Law Enforcement & Public Safety and  
Representative Futch

1                                   A bill to be entitled  
2           An act relating to determination of residency  
3           for regulatory purposes; amending s. 322.051,  
4           F.S., relating to identification cards;  
5           requiring that an applicant for an  
6           identification card provide information  
7           sufficient for the Department of Highway Safety  
8           and Motor Vehicles to determine the applicant's  
9           residency in the state; amending s. 322.08,  
10          F.S.; requiring that an applicant for a  
11          driver's license provide information sufficient  
12          for the department to determine the applicant's  
13          residency in the state; amending s. 790.065,  
14          F.S.; prohibiting a licensed importer, licensed  
15          manufacturer, or licensed dealer from selling  
16          or delivering a firearm without having  
17          determined that the potential buyer or  
18          transferee is a resident of this state, under  
19          certain circumstances; providing an effective  
20          date.

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

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24           Section 1. Subsection (1) of section 322.051, Florida  
25   Statutes, 1996 Supplement, is amended to read:

26           322.051 Identification cards.--

27           (1) Any person who is 12 years of age or older, or any  
28   person who has a disability, regardless of age, who applies  
29   for a disabled parking permit under s. 320.0848, may be issued  
30   an identification card by the department upon completion of an  
31   application and payment of an application fee. The

1 application must include the applicant's full name (first,  
2 middle or maiden, and last), sex, race, residence address and  
3 mailing address, proof of birth satisfactory to the  
4 department, and other data that the department requires,  
5 including information sufficient to determine residency in  
6 this state. An application for an identification card must be  
7 signed and verified by the applicant in a format designated by  
8 the department before a person authorized to administer oaths.  
9 The fee for an identification card is \$3, including payment  
10 for the color photograph or digital image of the applicant.

11 Section 2. Subsection (2) of section 322.08, Florida  
12 Statutes, 1996 Supplement, is amended to read:

13 322.08 Application for license.--

14 (2) Each such application shall reflect the  
15 applicant's full name (first, middle or maiden, and last),  
16 proof of identity satisfactory to the department, proof of  
17 birth date satisfactory to the department, sex, social  
18 security number, ~~and~~ residence and mailing address, and  
19 information sufficient to determine residency in this state of  
20 ~~the applicant~~, and briefly describe the applicant, and shall  
21 state whether the applicant has previously been licensed to  
22 drive, and if so, when and by what state, and whether any such  
23 license or driving privilege has ever been disqualified,  
24 revoked, or suspended, or whether an application has ever been  
25 refused, and if so, the date of and reason for such  
26 disqualification, suspension, revocation, or refusal.

27 Section 3. Subsection (1) of section 790.065, Florida  
28 Statutes, 1996 Supplement, is amended to read:

29 790.065 Sale and delivery of firearms.--

30 (1) No licensed importer, licensed manufacturer, or  
31 licensed dealer shall sell or deliver from his inventory at

1 his licensed premises any firearm to another person, other  
2 than a licensed importer, licensed manufacturer, licensed  
3 dealer, or licensed collector, until he has:  
4 (a) Obtained a completed form from the potential buyer  
5 or transferee, which form shall have been promulgated by the  
6 Department of Law Enforcement and provided by the licensed  
7 importer, licensed manufacturer, or licensed dealer, which  
8 shall include the name, date of birth, gender, race, and  
9 social security number or other identification number of such  
10 potential buyer or transferee and has inspected proper  
11 identification including an identification containing a  
12 photograph of the potential buyer or transferee.  
13 (b) Determined that the potential buyer or transferee  
14 is a resident of this state.  
15 (c)1. Collected a fee from the potential buyer for  
16 processing the criminal history check of the potential buyer.  
17 The fee shall be \$8. The Department of Law Enforcement shall,  
18 by rule, establish procedures for the fees to be transmitted  
19 by the licensee to the Department of Law Enforcement. All such  
20 fees shall be deposited into the Department of Law Enforcement  
21 Operating Trust Fund, but shall be segregated from all other  
22 funds deposited into such trust fund and must be accounted for  
23 separately. Such segregated funds must not be used for any  
24 purpose other than the operation of the criminal history  
25 checks required by this section. The Department of Law  
26 Enforcement, each year prior to February 1, shall make a full  
27 accounting of all receipts and expenditures of such funds to  
28 the President of the Senate, the Speaker of the House of  
29 Representatives, the majority and minority leaders of each  
30 house of the Legislature, and the chairs of the appropriations  
31 committees of each house of the Legislature. In the event

1 that the cumulative amount of funds collected exceeds the  
2 cumulative amount of expenditures by more than \$2.5 million,  
3 excess funds may be used for the purpose of purchasing soft  
4 body armor for law enforcement officers.

5           2. For the 1995-1996 fiscal year only, if the  
6 cumulative amount of funds collected exceeds the cumulative  
7 amount of expenditures by more than \$2.5 million, \$1.5 million  
8 of such excess funds may be transferred to the General Revenue  
9 Fund. This subparagraph is repealed on July 1, 1996.

10           (d)~~(c)~~ Requested, by means of a toll-free telephone  
11 call, the Department of Law Enforcement to conduct a check of  
12 the information as reported and reflected in the Florida Crime  
13 Information Center and National Crime Information Center  
14 systems as of the date of the request.

15           (e)~~(d)~~ Received a unique approval number for that  
16 inquiry from the Department of Law Enforcement, and recorded  
17 the date and such number on the consent form.

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19 However, if the person purchasing, or receiving delivery of,  
20 the firearm is a holder of a valid concealed weapons or  
21 firearms license pursuant to the provisions of s. 790.06 or  
22 holds an active certification from the Criminal Justice  
23 Standards and Training Commission as a "law enforcement  
24 officer," a "correctional officer," or a "correctional  
25 probation officer" as defined in s. 943.10(1), (2), (3), (6),  
26 (7), (8), or (9), the provisions of this subsection do not  
27 apply.

28           Section 4. This act shall take effect upon becoming a  
29 law.

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HOUSE SUMMARY

Requires that an applicant for an identification card or a driver's license provide information sufficient for the Department of Highway Safety and Motor Vehicles to determine the applicant's residency in the state.

Prohibits a licensed importer, licensed manufacturer, or licensed dealer from selling or delivering a firearm without having determined that the potential buyer or transferee is a resident of this state, under certain circumstances.