

By the Committees on Governmental Operations, 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 specified proof of  
7           residency; requiring a statement on the card as  
8           to whether the applicant is a Florida resident;  
9           providing rule adoption authority; amending s.  
10          322.08, F.S.; requiring that an applicant for a  
11          driver's license provide specified proof of  
12          residency; requiring a statement on the license  
13          as to whether the applicant is a Florida  
14          resident; providing rule adoption authority;  
15          amending s. 790.065, F.S.; prohibiting a  
16          licensed importer, licensed manufacturer, or  
17          licensed dealer from selling or delivering a  
18          firearm without having determined that the  
19          potential buyer or transferee is a resident of  
20          this state, under certain circumstances;  
21          providing an effective date.

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

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

27           322.051 Identification cards.--

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

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

- 13       (a) A residential lease;  
14       (b) Title to real property;  
15       (c) Voter registration card;  
16       (d) Utility bills;  
17       (e) Employment records or paychecks;  
18       (f) A document similar in nature to a document  
19 described in paragraph (a), (b), (c), (d), or (e); or  
20       (g) An identification card issued under this section,  
21 or a license issued pursuant to s. 322.08, to the spouse of  
22 the applicant or to the parent or legal guardian of an  
23 applicant who is a minor.

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25 The identification card shall state whether the applicant is a  
26 Florida resident. The department may adopt rules regulating  
27 the application for, or issuance of, identification cards  
28 consistent with this section.

29       Section 2. Subsection (2) of section 322.08, Florida  
30 Statutes, is amended to read:

31       322.08 Application for license.--

1           (2) Each such application shall reflect the  
2 applicant's full name (first, middle or maiden, and last),  
3 proof of identity satisfactory to the department, proof of  
4 birth date satisfactory to the department, sex, social  
5 security number, and residence and mailing address ~~of the~~  
6 applicant, and briefly describe the applicant, and shall state  
7 whether the applicant has previously been licensed to drive,  
8 and if so, when and by what state, and whether any such  
9 license or driving privilege has ever been disqualified,  
10 revoked, or suspended, or whether an application has ever been  
11 refused, and if so, the date of and reason for such  
12 disqualification, suspension, revocation, or refusal. The  
13 application must be accompanied by proof of residency, which  
14 shall consist of one or more of the following documents:  
15           (a) A residential lease;  
16           (b) Title to real property;  
17           (c) Voter registration card;  
18           (d) Utility bills;  
19           (e) Employment records or paychecks;  
20           (f) A document similar in nature to a document  
21 described in paragraph (a), (b), (c), (d), or (e); or  
22           (g) An identification card issued pursuant to s.  
23 322.051, or a license issued pursuant to this section, to the  
24 spouse of the applicant or to the parent or legal guardian of  
25 an applicant who is a minor.  
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27 The license shall state whether the applicant is a Florida  
28 resident. The department may adopt rules regulating the  
29 application for, or issuance of, licenses consistent with this  
30 section.  
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1           Section 3. Subsection (1) of section 790.065, Florida  
2 Statutes, is amended to read:

3           790.065 Sale and delivery of firearms.--

4           (1) No licensed importer, licensed manufacturer, or  
5 licensed dealer shall sell or deliver from her or his  
6 inventory at her or his licensed premises any firearm to  
7 another person, other than a licensed importer, licensed  
8 manufacturer, licensed dealer, or licensed collector, until  
9 she or he has:

10           (a) Obtained a completed form from the potential buyer  
11 or transferee, which form shall have been promulgated by the  
12 Department of Law Enforcement and provided by the licensed  
13 importer, licensed manufacturer, or licensed dealer, which  
14 shall include the name, date of birth, gender, race, and  
15 social security number or other identification number of such  
16 potential buyer or transferee and has inspected proper  
17 identification including an identification containing a  
18 photograph of the potential buyer or transferee.

19           (b) Determined that the potential buyer or transferee  
20 is a resident of this state, as evidenced by possession of a  
21 valid Florida driver's license or Florida identification card,  
22 or other documentation recognized by Florida law as proof of  
23 residency.

24           (c) Collected a fee from the potential buyer for  
25 processing the criminal history check of the potential buyer.  
26 The fee shall be \$8. The Department of Law Enforcement shall,  
27 by rule, establish procedures for the fees to be transmitted  
28 by the licensee to the Department of Law Enforcement. All such  
29 fees shall be deposited into the Department of Law Enforcement  
30 Operating Trust Fund, but shall be segregated from all other  
31 funds deposited into such trust fund and must be accounted for

1 separately. Such segregated funds must not be used for any  
2 purpose other than the operation of the criminal history  
3 checks required by this section. The Department of Law  
4 Enforcement, each year prior to February 1, shall make a full  
5 accounting of all receipts and expenditures of such funds to  
6 the President of the Senate, the Speaker of the House of  
7 Representatives, the majority and minority leaders of each  
8 house of the Legislature, and the chairs of the appropriations  
9 committees of each house of the Legislature. In the event  
10 that the cumulative amount of funds collected exceeds the  
11 cumulative amount of expenditures by more than \$2.5 million,  
12 excess funds may be used for the purpose of purchasing soft  
13 body armor for law enforcement officers.

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

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

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23 However, if the person purchasing, or receiving delivery of,  
24 the firearm is a holder of a valid concealed weapons or  
25 firearms license pursuant to the provisions of s. 790.06 or  
26 holds an active certification from the Criminal Justice  
27 Standards and Training Commission as a "law enforcement  
28 officer," a "correctional officer," or a "correctional  
29 probation officer" as defined in s. 943.10(1), (2), (3), (6),  
30 (7), (8), or (9), the provisions of this subsection do not  
31 apply.

1           Section 4. This act shall take effect April 1 of the  
2 year after the year in which enacted.

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