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offenders; providing exceptions; conforming a

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An act relating to discharging firearms in public; amending s. 790.15, F.S.; reclassifying from a misdemeanor of the first degree to a felony of the third degree the offense of knowingly discharging a firearm in any public place, on or over the right-of-way of a paved public road, highway, or street, or over occupied premises; providing penalties; providing enhanced penalties for habitual

A bill to be entitled

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

reference; providing an effective date.

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

790.15 Discharging firearm in public.--

(1) Except as provided in subsection (2) or subsection 20 (3), any person who knowingly discharges a firearm in any public place, or on or over the right-of-way of any paved public road, highway, or street, or whosoever knowingly discharges any firearm over the right-of-way of any paved public road, highway, or street or over any occupied premises commits is guilty of a felony misdemeanor of the third first degree, punishable as provided in s. 775.082, or s. 775.083, or s. 775.084. This section does not apply to a person lawfully defending life or property or performing official duties requiring the discharge of a firearm or to a person discharging a firearm on public roads or properties expressly

approved for hunting by the Game and Fresh Water Fish Commission or Division of Forestry.

- (2) Any occupant of any vehicle who knowingly and willfully discharges any firearm from the vehicle within 1,000 feet of any person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (3) Any driver or owner of any vehicle, whether or not the owner of the vehicle is occupying the vehicle, who knowingly directs any other person to discharge any firearm from the vehicle commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. This act shall take effect October 1 of the year in which enacted.

HOUSE SUMMARY

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