

Bill No. HB 391
Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Brown-Waite moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 1, line 10,		
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16	insert:		
17	Section 1. Subsection (14) of section 790.065, Florida		
18	Statutes, as created by section 1 of chapter 93-197, Laws of		
19	Florida, is amended to read:		
20	790.065 Sale and delivery of firearms.--		
21	(14) This section is repealed effective <u>June 1, 2000</u>		
22	October 1, 1999.		
23	Section 2. Subsection (1) of section 790.065, Florida		
24	Statutes, 1998 Supplement, is amended to read:		
25	790.065 Sale and delivery of firearms.--		
26	(1) A licensed importer, licensed manufacturer, or		
27	licensed dealer may not sell or deliver from her or his		
28	inventory at her or his licensed premises any firearm to		
29	another person, other than a licensed importer, licensed		
30	manufacturer, licensed dealer, or licensed collector, until		
31	she or he has:		

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1 (a) Obtained a completed form from the potential buyer
2 or transferee, which form shall have been promulgated by the
3 Department of Law Enforcement and provided by the licensed
4 importer, licensed manufacturer, or licensed dealer, which
5 shall include the name, date of birth, gender, race, and
6 social security number or other identification number of such
7 potential buyer or transferee and has inspected proper
8 identification including an identification containing a
9 photograph of the potential buyer or transferee.

10 (b) Collected a fee from the potential buyer for
11 processing the criminal history check of the potential buyer.
12 The fee shall be established by the Department of Law
13 Enforcement and may not exceed \$8 per transaction. The
14 Department of Law Enforcement may reduce, or suspend
15 collection of, the fee to reflect payment received from the
16 Federal Government applied to the cost of maintaining the
17 criminal history check system established by this section as a
18 means of facilitating or supplementing the National Instant
19 Criminal Background Check System.The Department of Law
20 Enforcement shall, by rule, establish procedures for the fees
21 to be transmitted by the licensee to the Department of Law
22 Enforcement. All such fees shall be deposited into the
23 Department of Law Enforcement Operating Trust Fund, but shall
24 be segregated from all other funds deposited into such trust
25 fund and must be accounted for separately. Such segregated
26 funds must not be used for any purpose other than the
27 operation of the criminal history checks required by this
28 section. The Department of Law Enforcement, each year prior to
29 February 1, shall make a full accounting of all receipts and
30 expenditures of such funds to the President of the Senate, the
31 Speaker of the House of Representatives, the majority and

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1 minority leaders of each house of the Legislature, and the
2 chairs of the appropriations committees of each house of the
3 Legislature. In the event that the cumulative amount of funds
4 collected exceeds the cumulative amount of expenditures by
5 more than \$2.5 million, excess funds may be used for the
6 purpose of purchasing soft body armor for law enforcement
7 officers.

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

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

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

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27 (Redesignate subsequent sections.)

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29

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

31 And the title is amended as follows:

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1 On page 1, lines 2 and 3, delete those lines
2
3 and insert:
4 An act relating to the Department of Law
5 Enforcement; amending s. 790.065, F.S.,
6 relating to the sale and delivery of firearms;
7 postponing the expiration of that section;
8 providing for modification, or suspension of
9 collection, of fees for criminal history
10 checks; amending s. 943.053, F.S.;

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