

1 A bill to be entitled
2 An act relating to sport shooting ranges;
3 providing definitions; providing exemption
4 from civil liability and criminal prosecution
5 for owners and users of sport shooting ranges
6 with respect to noise pollution resulting from
7 the operation of the range under certain
8 circumstances; exempting sport shooting ranges
9 from specified rules; prohibiting certain
10 nuisance actions against sport shooting ranges;
11 providing for the continued operation of sport
12 shooting ranges under specified circumstances;
13 providing an effective date.

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

16
17 Section 1. Sport shooting ranges; definitions;
18 exemption from liability; exemption from specified rules;
19 exemption from nuisance actions; continued operation.--

20 (1) Definitions.--As used in this act, the following
21 terms shall have the following meanings:

22 (a) "Unit of local government" means a unit of local
23 government created or established by law, including, but not
24 limited to, a city, consolidated government, county,
25 metropolitan government, municipality, town, or village.

26 (b) "Person" means an individual, corporation,
27 proprietorship, partnership, association, club, two or more
28 persons having a joint or common interest, or any other legal
29 entity.

30 (c) "Sport shooting range" or "range" means an area
31 designed and operated for the use of rifles, shotguns,

1 pistols, silhouettes, skeet, trap, black powder, or any other
2 similar type of sport shooting.

3 (2) Notwithstanding any other provision of law, a
4 person who operates or uses a sport shooting range in this
5 state shall not be subject to civil liability or criminal
6 prosecution in any matter relating to noise or noise pollution
7 which results from the operation or use of a sport shooting
8 range, if the range is in compliance with any noise control
9 laws or ordinances adopted by a unit of local government
10 applicable to the range and its operation at the time of
11 construction or initial operation of the range.

12 (3) A person who operates or uses a sport shooting
13 range is not subject to an action for nuisance, and a court of
14 this state shall not enjoin the use or operation of a sport
15 shooting range on the basis of noise or noise pollution, if
16 the range is in compliance with any noise control laws or
17 ordinances that applied to the range and its operation at the
18 time of construction or initial operation of the range.

19 (4) Rules adopted by any state department or agency
20 for limiting levels of noise in terms of decibel levels which
21 may occur in the outdoor atmosphere shall not apply to a sport
22 shooting range exempted from liability under this act.

23 (5) A person who acquires title to or owns real
24 property adversely affected by the use of property with a
25 permanently located and improved sport shooting range shall
26 not maintain a nuisance action against the person who owns the
27 range to restrain, enjoin, or impede the use of the range
28 where there has not been a substantial change in the nature of
29 the use of the range. This section does not prohibit actions
30 for negligence or recklessness in the operation of a sport
31 shooting range or by a person using the range.

1 (6) A sport shooting range that is not in violation of
2 existing law at the time of the enactment of an ordinance
3 applicable to the sport shooting range shall be permitted to
4 continue in operation even if the operation of the sport
5 shooting range does not conform to the new ordinance or an
6 amendment to an existing ordinance, provided the range was not
7 in violation of any law when the range was constructed and
8 provided that the range continues to conform to current
9 National Rifle Association gun safety and shooting range
10 standards.

11 (7) Except as otherwise provided in this act, this act
12 shall not prohibit a local government from regulating the
13 location and construction of a sport shooting range after the
14 effective date of this act.

15 Section 2. This act shall take effect upon becoming a
16 law.