

By Senator Campbell

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A bill to be entitled
An act relating to crimes committed with a
firearm; amending s. 790.07, F.S.; providing
for mandatory sentences for persons who commit
or attempt to commit a forcible felony with a
firearm; providing an effective date.

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

Section 1. Section 790.07, Florida Statutes, is
amended to read:

790.07 Persons engaged in criminal offense, having
weapons.--

(1) Whoever, while committing or attempting to commit
any felony or while under indictment, displays, uses,
threatens, or attempts to use any weapon or electric weapon or
device or carries a concealed weapon is guilty of a felony of
the third degree, punishable as provided in s. 775.082, s.
775.083, or s. 775.084.

(2) Whoever, while committing or attempting to commit
any felony, displays, uses, threatens, or attempts to use any
firearm or carries a concealed firearm is guilty of a felony
of the second degree, punishable as provided in s. 775.082, s.
775.083, and s. 775.084.

(3)(a) Whoever commits or attempts to commit a
forcible felony as defined in s. 776.08 while possessing a
firearm shall receive a minimum mandatory sentence of 10
years.

(b) Whoever fires a firearm while committing or
attempting to commit a forcible felony as defined in s. 776.08
shall receive a mandatory sentence of 20 years.

1 (c) Whoever fires a firearm while committing or
2 attempting to commit a forcible felony as defined in s. 776.08
3 and as a result causes bodily injury to any person shall
4 receive a minimum mandatory sentence of 25 years to life
5 imprisonment.

6 (4)~~(3)~~ The following crimes are excluded from
7 application of this section: Antitrust violations, unfair
8 trade practices, restraints of trade, nonsupport of
9 dependents, bigamy, or other similar offenses.

10 (5)~~(4)~~ Whoever, having previously been convicted of a
11 violation of subsection (1) or subsection (2) and, subsequent
12 to such conviction, displays, uses, threatens, or attempts to
13 use any weapon, firearm, or electric weapon or device, carries
14 a concealed weapon, or carries a concealed firearm while
15 committing or attempting to commit any felony or while under
16 indictment is guilty of a felony of the first degree,
17 punishable as provided in s. 775.082, s. 775.083, or s.
18 775.084. Sentence shall not be suspended or deferred under the
19 provisions of this subsection.

20 Section 2. This act shall take effect July 1, 1999.

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23 SENATE SUMMARY

24 Provides mandatory sentences for persons who commit or
25 attempt to commit a forcible felony with a firearm.