

By Senator Campbell

33-353-00

1 A bill to be entitled
 2 An act relating to weapons and firearms;
 3 defining the term "assault weapon"; authorizing
 4 a county to adopt an ordinance prohibiting the
 5 purchase, sale, manufacture, possession, or
 6 transportation of an assault weapon; providing
 7 that the ordinance may not conflict with
 8 general law authorizing the purchase, sale,
 9 possession, or transportation of an assault
 10 weapon to or by a law enforcement agency or law
 11 enforcement officer; prohibiting the adoption
 12 of any such ordinance that conflicts with
 13 federal law with respect to hunting rifles or
 14 shotguns; providing that a person who lawfully
 15 possesses an assault weapon before the
 16 effective date of such ordinance may retain
 17 possession of that assault weapon; providing an
 18 effective date.

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

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 22 Section 1. (1) As used in this section, the term
 23 "assault weapon" means a firearm that:

- 24 (a) If the firearm is a rifle, has:
 25 1. A folding or telescoping stock;
 26 2. A protruding pistol grip;
 27 3. A bayonet mount;
 28 4. A threaded muzzle suppressor or flash suppressor;

29 or

- 30 5. A grenade launcher.
 31 (b) If the firearm is a pistol, has:

- 1 1. A magazine outside of the grip;
2 2. A threaded muzzle;
3 3. A barrel shroud;
4 4. An unloaded weight of 50 ounces or more; or
5 5. The ability to function as a semiautomatic version
6 of a fully automatic weapon.
7 (c) If the firearm is a shotgun, has:
8 1. A folding or telescoping stock;
9 2. A protruding pistol grip;
10 3. A detachable magazine; or
11 4. A fixed magazine with a capacity of more than five
12 rounds.
13 (2) Any county may adopt an ordinance prohibiting the
14 purchase, sale, transfer, manufacture, ownership, possession,
15 or transportation of an assault weapon. However, the county
16 ordinance may not conflict with general law that authorizes
17 the purchase, sale, transfer, ownership, possession, or
18 transportation of an assault weapon to or by any law
19 enforcement agency or law enforcement officer in connection
20 with the performance of his or her duties as a law enforcement
21 officer.
22 (3) A county may not adopt an ordinance prohibiting
23 the purchase, sale, transfer, manufacture, ownership,
24 possession, or transportation of any hunting rifle or shotgun
25 that may be lawfully purchased, sold, transferred,
26 manufactured, owned, possessed, or transported under federal
27 law.
28 (4) Any person who lawfully possesses an assault
29 weapon before the effective date of an ordinance prohibiting
30 the purchase, sale, transfer, manufacture, ownership,
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1 possession, or transportation of an assault weapon may
2 lawfully retain possession of that assault weapon.

3 Section 2. This act shall take effect upon becoming a
4 law.

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7 SENATE SUMMARY

8 Authorizes any county to adopt an ordinance prohibiting
9 the purchase, sale, manufacture, possession, or
10 transportation of an assault weapon. Defines the term
11 "assault weapon." Provides that the ordinance may not
12 conflict with general law authorizing the purchase, sale,
13 possession, or transportation of an assault weapon to or
14 by a law enforcement agency or law enforcement officer.
15 Prohibits a county from adopting an ordinance that
16 conflicts with federal law with respect to hunting rifles
17 or shotguns. Provides that persons who lawfully possess
18 an assault weapon before the effective date of any such
19 ordinance may retain possession of that assault weapon.
20 (See bill for details.)
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