

By Representative Wasserman Schultz

1 A bill to be entitled
2 An act relating to Broward County; creating the
3 "Broward County Firearms Dealer's License and
4 Assault Weapons Security Act"; defining
5 "assault weapon" and "retail establishment" for
6 purposes of the act; prohibiting the unlawful
7 storage and display of assault weapons within
8 retail establishments not open for business;
9 specifying conditions which constitute such
10 unlawful storage and display; providing a first
11 degree misdemeanor penalty for violation of the
12 act; providing for enforcement of the act;
13 providing for a referendum; providing a ballot
14 statement; providing an effective date.

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

17
18 Section 1. This act shall be known as the "Broward
19 County Firearms Dealer's License and Assault Weapons Security
20 Act," and shall be in effect within the boundaries of Broward
21 County, Florida.

22 Section 2. Definitions.--As used in this act, the
23 following terms shall have the following meanings:

24 (1)(a) "Assault weapon" means the following designated
25 semiautomatic firearms:

26 1. All of the following specified rifles:

27 a. All AK series, including, but not limited to, the
28 models identified as follows:

29 (I) Made in China AK, AKM, AKS, AK47, AK47S, 56, 56S,
30 84S, and 86S.

31 (II) Norinco 56, 56S, 84S, and 86S.

- 1 (III) Poly Technologies AKS and AK47.
2 (IV) MAADI AK47 and ARM.
3 b. UZI and Galil.
4 c. Beretta AR-70.
5 d. CETME Sporter.
6 e. Colt AR-15 series.
7 f. Daewoo K-1, K-2, Max 1, Max 2, AR 100, and AR 110C.
8 g. Fabrique Nationale FAL, LAR, FNC, 308 Match, and
9 Sporter.
10 h. MAS 223.
11 i. HK-91, HK-93, HK-94, and HK-PSG-1.
12 j. SKS with detachable magazine.
13 k. SIG AMT, PE-57, SG 550, and SG 551.
14 l. Springfield Armory BM59 and SAR-48.
15 m. Sterling MK-6.
16 n. Steyer AUG.
17 o. Valmet M62S, M71S, and M78S.
18 p. Armalite AR-180.
19 q. Bushmaster Assault Rifle.
20 r. Calico M-900.
21 s. J&R ENG M-68.
22 t. Weaver Arms Nighthawk.
23 2. All of the following specified pistols:
24 a. UZI.
25 b. Encom MP-9 and MP-45.
26 c. The following MAC types:
27 (I) RPB Industries Inc. sM10 and sM11.
28 (II) SWD Incorporated M-11.
29 (III) Advance Armament Inc. M-11.
30 (IV) Military Armament Corp. Ingram M-11 and M-10.
31 d. Intratec TEC-9, TEC-DC9, and TEC-22.

- 1 e. Sites Spectre.
2 f. Sterling MK-7.
3 g. Calico M-950.
4 h. Bushmaster Pistol.
5 i. Interdynamics KG-9 and KG-99.
6 3. All of the following specified shotguns:
7 a. Franchi SPAS 12 and LAW 12.
8 b. Striker 12.
9 c. The Streetsweeper type S/S Inc. SS/12.
10
11 For purposes of this paragraph, the term "series" includes all
12 other models that are only variations, with minor differences,
13 of those models listed in this paragraph, regardless of the
14 manufacturer.
15 (b) Notwithstanding the provisions of paragraph (a),
16 "assault weapon" shall also mean any of the following:
17 1. A semiautomatic, centerfire rifle that has the
18 capacity to accept a detachable magazine and any one of the
19 following:
20 a. A pistol grip that protrudes conspicuously beneath
21 the action of the weapon.
22 b. A thumbhole stock.
23 c. A folding or telescoping stock.
24 d. A grenade launcher or flare launcher.
25 e. A flash suppressor.
26 f. A forward pistol grip.
27 2. A semiautomatic, centerfire rifle that has a fixed
28 magazine with the capacity to accept more than 10 rounds.
29 3. A semiautomatic, centerfire rifle that has an
30 overall length of less than 30 inches.
31

- 1 4. A semiautomatic pistol that has the capacity to
2 accept a detachable magazine and any one of the following:
3 a. A threaded barrel, capable of accepting a flash
4 suppressor, forward handgrip, or silencer.
5 b. A second handgrip.
6 c. A shroud that is attached to, or partially or
7 completely encircles, the barrel that allows the bearer to
8 fire the weapon without burning his or her hand, except a
9 slide that encloses the barrel.
10 d. The capacity to accept a detachable magazine at
11 some location outside of the pistol grip.
12 5. A semiautomatic pistol with a fixed magazine that
13 has the capacity to accept more than 10 rounds.
14 6. A semiautomatic shotgun that has both of the
15 following:
16 a. A folding or telescoping stock.
17 b. A pistol grip that protrudes conspicuously beneath
18 the action of the weapon, thumbhole stock, or vertical
19 handgrip.
20 7. A semiautomatic shotgun that has the ability to
21 accept a detachable magazine.
22 8. Any shotgun with a revolving cylinder.
23
24 For purposes of this subsection, "magazine" shall mean any
25 ammunition feeding device. For purposes of this subsection,
26 "capacity to accept more than 10 rounds" shall mean the
27 capability of accommodating more than 10 rounds, but shall not
28 be construed to include a feeding device that has been
29 permanently altered so that it cannot accommodate more than 10
30 rounds.
31

1 (2) "Person" shall have the same meaning as provided
2 in section 1.01, Florida Statutes.

3 (3) "Retail establishment" shall have the same meaning
4 as that term is defined in section 790.33(2)(b), Florida
5 Statutes, and shall also include gun collectors' shows, gun
6 exhibits, and gun shows.

7 Section 3. Unlawful storage and display of assault
8 weapons in retail establishments.--It shall be unlawful for
9 any person to allow an assault weapon, as defined in section 2
10 of this act, to be kept within a retail establishment within
11 Broward County during hours when the retail establishment is
12 not open for business under any of the following
13 circumstances:

14 (1) When the assault weapon is not kept in a safe,
15 locked room, or locked area within a locked retail
16 establishment.

17 (2) When the assault weapon is accessible to any
18 person other than a responsible employee or agent of the
19 retail establishment who possesses the combination or key to a
20 lock which secures the retail establishment.

21 (3) When the assault weapon is visible from outside
22 the retail establishment or is visible from a safe, locked
23 room, or locked area as provided in subsection (1).

24 Section 4. A person who violates the provisions of
25 this act commits a misdemeanor of the first degree, punishable
26 as provided in section 775.082 or section 775.083, Florida
27 Statutes.

28 Section 5. This act shall be enforced by the Sheriff
29 of Broward County and all law enforcement officers within
30 Broward County.

31

1 Section 6. The Board of County Commissioners of
2 Broward County shall schedule a referendum election in
3 accordance with provisions of law relating to elections
4 currently in force in Broward County to coincide with the
5 primary election to be held on September 5, 2000. The subject
6 of such election shall be a referendum providing for the
7 adoption or rejection of this act. The referendum election on
8 the adoption or rejection of this act shall not be conducted
9 by mail ballot.

10 Section 7. The item that shall appear on the ballot on
11 the date of the referendum election described in section 6
12 shall be as follows:

13
14 (Title) ASSAULT WEAPONS TO BE LOCKED, SECURED, AND NOT
15 VISIBLE IN CLOSED RETAIL ESTABLISHMENTS.

16 (Issue) All assault weapons within any retail establishment
17 shall be kept in a safe, locked room, or locked area within a
18 locked establishment which is secure and inaccessible to
19 persons without a combination or key during hours in which the
20 establishment is not open for business. All assault weapons
21 shall be secured so they are not visible from outside the
22 structure at times when the retail establishment is not open
23 for business.

24
25 Yes _____

26 No _____

27 Section 8. This act shall take effect only upon its
28 approval by a majority vote of those qualified electors of
29 Broward County voting in a referendum to be held by the Board
30 of County Commissioners of Broward County in conjunction with
31 the primary election to be held on September 5, 2000, in

1 accordance with the provisions of law relating to elections
2 currently in force, except that this section shall take effect
3 upon becoming a law. This referendum shall not be conducted
4 by mail ballot.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31