

By Representatives Gottlieb, L. Miller, Wasserman Schultz
and Effman

1 A bill to be entitled
2 An act relating to weapons and firearms;
3 creating the "Children's Firearm Responsibility
4 Act of 2000"; amending s. 790.001, F.S.;
5 defining "unsafe handgun" and "assault weapon";
6 creating s. 790.0659, F.S.; prohibiting the
7 manufacture and importation of unsafe handguns;
8 providing exceptions; providing a penalty;
9 creating s. 790.066, F.S.; prohibiting the
10 manufacture and importation of assault weapons;
11 providing exceptions; providing a penalty;
12 amending s. 790.17, F.S.; prohibiting the
13 furnishing of unsafe handguns and assault
14 weapons to minors under 18 years of age;
15 providing penalties; amending s. 784.05, F.S.,
16 relating to culpable negligence; providing a
17 fine and additional penalties for persons
18 convicted of leaving a loaded firearm within
19 the reach or easy access of a minor under
20 certain circumstances; amending s. 790.174,
21 F.S., relating to required safe storage of
22 firearms; providing applicability to firearms
23 stored or left within the interior of a motor
24 vehicle; providing a penalty for failure to
25 store or leave a firearm as required by law
26 under certain circumstances; creating s.
27 985.4167, F.S.; establishing the juvenile gun
28 violence prevention grant program; providing
29 criteria; providing for administration of the
30 program by the Department of Juvenile Justice;
31 providing for a grant application process;

1 requiring annual evaluation reports of entities
2 receiving grant awards; providing for audit;
3 amending s. 985.415, F.S., relating to the
4 community juvenile justice partnership grant
5 program; revising provisions to include
6 community juvenile gun violence grants within
7 the program; providing an appropriation;
8 providing an effective date.
9

10 WHEREAS, it is the expressed finding of the Legislature
11 under s. 790.173, Florida Statutes, that "a tragically large
12 number of Florida children have been accidentally killed or
13 seriously wounded by negligently stored firearms," and

14 WHEREAS, it is the further finding of the Legislature
15 under s. 790.173, Florida Statutes, that "placing firearms
16 within the reach or easy access of children is irresponsible,
17 encourages such accidents, and should be prohibited; and that
18 legislative action is necessary to protect the safety of our
19 children," and

20 WHEREAS, the alarming increase in the incidence of
21 school shootings across the United States which have resulted
22 in death and serious injury to public school students,
23 teachers, and staff make the issue of juvenile gun violence
24 one of extreme importance to the citizens of the State of
25 Florida, NOW, THEREFORE,

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. SHORT TITLE.--This act may be cited as the
30 "Children's Firearm Responsibility Act of 2000."
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1 Section 2. Subsections (19) and (20) are added to
2 section 790.001, Florida Statutes, to read:

3 790.001 Definitions.--As used in this chapter, except
4 where the context otherwise requires:

5 (19) "Unsafe handgun" means:

6 (a) Any handgun which, when new, fires in any of five
7 successive trials in which the handgun, when loaded with an
8 empty case with a primer installed and having built-in manual
9 handgun safety devices deactivated so that the handgun is
10 ready to fire, is dropped onto a steel plate from a height of
11 1 meter from each of the following positions:

12 1. Normal firing position.

13 2. Upside down.

14 3. On the grip.

15 4. On the muzzle.

16 5. On either side.

17 6. On the exposed hammer or striker.

18 7. If there is no hammer or striker, the rearmost part
19 of the firearm.

20 8. Any other position necessary to determine whether
21 the handgun is subject to accidental discharge.

22 (b) Any handgun without a child-resistant trigger
23 mechanism reasonably designed to prevent a child who has not
24 attained 5 years of age from operating the weapon when it is
25 ready to fire. Such mechanism may include:

26 1. Any handgun with a trigger resistance equivalent to
27 a 10-pound pull; or

28 2. Any handgun which is designed so that the hand of
29 an average child who has not attained 5 years of age is unable
30 to grip the trigger.

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1 (c) Any semiautomatic pistol which does not have a
2 magazine disconnect safety that prevents the pistol from being
3 fired once the magazine or clip is removed from the weapon.

4 (d) A handgun sold without a mechanism or feature
5 reasonably designed to prevent the discharge of the weapon by
6 unauthorized users, including, but not limited to:

7 1. A detachable key-activated or combination lock
8 which prevents the trigger from being pulled or the hammer
9 from striking the primer;

10 2. A solenoid use-limitation device which prevents, by
11 use of a magnetically activated relay, the firing of the
12 handgun unless a magnet of the appropriate strength is placed
13 in proximity to the handle of the handgun; or

14 3. A removable hammer or striker.

15 (20)(a) "Assault weapon" means the following
16 designated semiautomatic firearms:

17 1. All of the following specified rifles:

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

20 (I) Made in China AK, AKM, AKS, AK47, AK47S, 56, 56S,
21 84S, and 86S.

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

23 (III) Poly Technologies AKS and AK47.

24 (IV) MAADI AK47 and ARM.

25 b. UZI and Galil.

26 c. Beretta AR-70.

27 d. CETME Sporter.

28 e. Colt AR-15 series.

29 f. Daewoo K-1, K-2, Max 1, Max 2, AR 100, and AR 110C.

30 g. Fabrique Nationale FAL, LAR, FNC, 308 Match, and
31 Sporter.

- 1 h. MAS 223.
2 i. HK-91, HK-93, HK-94, and HK-PSG-1.
3 j. The following MAC types:
4 (I) RPB Industries Inc. sM10 and sM11.
5 (II) SWD Incorporated M11.
6 k. SKS with detachable magazine.
7 l. SIG AMT, PE-57, SG 550, and SG 551.
8 m. Springfield Armory BM59 and SAR-48.
9 n. Sterling MK-6.
10 o. Steyer AUG.
11 p. Valmet M62S, M71S, and M78S.
12 q. Armalite AR-180.
13 r. Bushmaster Assault Rifle.
14 s. Calico M-900.
15 t. J&R ENG M-68.
16 u. Weaver Arms Nighthawk.
17 2. All of the following specified pistols:
18 a. UZI.
19 b. Encom MP-9 and MP-45.
20 c. The following MAC types:
21 (I) RPB Industries Inc. sM10 and sM11.
22 (II) SWD Incorporated M-11.
23 (III) Advance Armament Inc. M-11.
24 (IV) Military Armament Corp. Ingram M-11.
25 d. Intratec TEC-9.
26 e. Sites Spectre.
27 f. Sterling MK-7.
28 g. Calico M-950.
29 h. Bushmaster Pistol.
30 3. All of the following specified shotguns:
31 a. Franchi SPAS 12 and LAW 12.

1 b. Striker 12.

2 c. The Streetsweeper type S/S Inc. SS/12.

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4 For purposes of this paragraph, the term "series" includes all
5 other models that are only variations, with minor differences,
6 of those models listed in this paragraph, regardless of the
7 manufacturer.

8 (b) Notwithstanding the provisions of paragraph (a),
9 "assault weapon" shall also mean any of the following:

10 1. A semiautomatic, centerfire rifle that has the
11 capacity to accept a detachable magazine and any one of the
12 following:

13 a. A pistol grip that protrudes conspicuously beneath
14 the action of the weapon.

15 b. A thumbhole stock.

16 c. A folding or telescoping stock.

17 d. A grenade launcher or flare launcher.

18 e. A flash suppressor.

19 f. A forward pistol grip.

20 2. A semiautomatic, centerfire rifle that has a fixed
21 magazine with the capacity to accept more than 10 rounds.

22 3. A semiautomatic, centerfire rifle that has an
23 overall length of less than 30 inches.

24 4. A semiautomatic pistol that has the capacity to
25 accept a detachable magazine and any one of the following:

26 a. A threaded barrel, capable of accepting a flash
27 suppressor, forward handgrip, or silencer.

28 b. A second handgrip.

29 c. A shroud that is attached to, or partially or
30 completely encircles, the barrel that allows the bearer to

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1 fire the weapon without burning his or her hand, except a
2 slide that encloses the barrel.

3 d. The capacity to accept a detachable magazine at
4 some location outside of the pistol grip.

5 5. A semiautomatic pistol with a fixed magazine that
6 has the capacity to accept more than 10 rounds.

7 6. A semiautomatic shotgun that has both of the
8 following:

9 a. A folding or telescoping stock.

10 b. A pistol grip that protrudes conspicuously beneath
11 the action of the weapon, thumbhole stock, or vertical
12 handgrip.

13 7. A semiautomatic shotgun that has the ability to
14 accept a detachable magazine.

15 8. Any shotgun with a revolving cylinder.

16

17 "Assault weapon" does not include any antique firearm as
18 defined in subsection (1). For purposes of this subsection,
19 "magazine" shall mean any ammunition feeding device. For
20 purposes of this subsection, "capacity to accept more than 10
21 rounds" shall mean the capability of accommodating more than
22 10 rounds, but shall not be construed to include a feeding
23 device that has been permanently altered so that it cannot
24 accommodate more than 10 rounds.

25 Section 3. Section 790.0659, Florida Statutes, is
26 created to read:

27 790.0659 Manufacture and importation of unsafe
28 handguns prohibited.--

29 (1) No licensed manufacturer or licensed importer
30 shall manufacture within the state or import into the state
31 any handgun that has been determined, upon testing and

1 evaluation by the Federal Bureau of Alcohol, Tobacco and
2 Firearms, the Florida Department of Law Enforcement, or an
3 agency or entity authorized by the bureau or the department to
4 test and evaluate the safety of firearms, to be an unsafe
5 handgun as defined in s. 790.001(19).

6 (2) Subsection (1) shall not apply to:

7 (a) The manufacture or importation of a handgun by a
8 licensed manufacturer or licensed importer for use by a
9 department or agency of the Federal Government, or a sheriff's
10 office, municipal police department, correctional facility or
11 agency, or other criminal justice or governmental agency of
12 the state, when the manufacture or importation is on behalf of
13 such agencies, entities, or departments for official law
14 enforcement purposes; or

15 (b) The manufacture or importation of a handgun by a
16 licensed manufacturer or licensed importer for the purposes of
17 lawful testing, evaluation, or experimentation conducted by
18 the Federal Bureau of Alcohol, Tobacco and Firearms, the
19 Florida Department of Law Enforcement, or any agency or entity
20 authorized by the bureau or department to test and evaluate
21 the safety of firearms.

22 (3) Any licensed manufacturer or licensed importer who
23 violates the provisions of this section commits a felony of
24 the third degree, punishable as provided in s. 775.082 or s.
25 775.083.

26 Section 4. Section 790.066, Florida Statutes, is
27 created to read:

28 790.066 Manufacture and importation of assault weapons
29 prohibited.--

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1 (1) No licensed manufacturer or licensed importer
2 shall manufacture within the state or import into the state
3 any assault weapon as defined in s. 790.001(20).

4 (2) Subsection (1) shall not apply to:

5 (a) The manufacture or importation of an assault
6 weapon by a licensed manufacturer or licensed importer for use
7 by a department or agency of the Federal Government, or a
8 sheriff's office, municipal police department, correctional
9 facility or agency, or other criminal justice or governmental
10 agency of the state, when the manufacture or importation is on
11 behalf of such agencies, entities, or departments for official
12 law enforcement purposes; or

13 (b) The manufacture or importation of an assault
14 weapon by a licensed manufacturer or licensed importer for the
15 purposes of lawful testing, evaluation, or experimentation
16 conducted by the Federal Bureau of Alcohol, Tobacco and
17 Firearms, the Florida Department of Law Enforcement, or any
18 agency or entity authorized by the bureau or department to
19 test and evaluate the safety of firearms.

20 (3) Any licensed manufacturer or licensed importer who
21 violates the provisions of this section commits a felony of
22 the third degree, punishable as provided in s. 775.082 or s.
23 775.083.

24 Section 5. Section 790.17, Florida Statutes, is
25 amended to read:

26 790.17 Furnishing weapons to minors under 18 years of
27 age or persons of unsound mind and furnishing firearms, unsafe
28 handguns, or assault weapons to minors under 18 years of age
29 prohibited; penalties.--

30 (1) A person who sells, hires, barter, lends,
31 transfers, or gives any minor under 18 years of age any dirk,

1 electric weapon or device, or other weapon, other than an
2 ordinary pocketknife, without permission of the minor's parent
3 or guardian, or sells, hires, barter, lends, transfers, or
4 gives to any person of unsound mind an electric weapon or
5 device or any dangerous weapon, other than an ordinary
6 pocketknife, commits a misdemeanor of the first degree,
7 punishable as provided in s. 775.082 or s. 775.083.

8 (2)(a) A person may not knowingly or willfully sell or
9 transfer a firearm to a minor under 18 years of age, except
10 that a person may transfer ownership of a firearm other than
11 an unsafe handgun as defined in s. 790.001(19) or an assault
12 weapon as defined in s. 790.001(20) to a minor with permission
13 of the parent or guardian. A person who violates this
14 paragraph commits a felony of the third degree, punishable as
15 provided in s. 775.082, s. 775.083, or s. 775.084.

16 (b) The parent or guardian must maintain possession of
17 the firearm except pursuant to s. 790.22.

18 (3) A person who sells, hires, barter, lends,
19 transfers, or gives any minor under 18 years of age any unsafe
20 handgun as defined in s. 790.001(19) commits a felony of the
21 second degree, punishable as provided in s. 775.082, s.
22 775.083, or s. 775.084.

23 (4) A person who sells, hires, barter, lends,
24 transfers, or gives any minor under 18 years of age any unsafe
25 handgun as defined in s. 790.001(19), the possession of which
26 results in the death or bodily injury of the minor or any
27 other person, commits a felony of the first degree, punishable
28 as provided in s. 775.082, s. 775.083, or s. 775.084.

29 (5) A person who sells, hires, barter, lends,
30 transfers, or gives any minor under 18 years of age any
31 assault weapon as defined in s. 790.001(20) commits a felony

1 of the second degree, punishable as provided in s. 775.082, s.
2 775.083, or s. 775.084.

3 (6) A person who sells, hires, barter, lends,
4 transfers, or gives any minor under 18 years of age any
5 assault weapon as defined in s. 790.001(20), the possession of
6 which results in the death or bodily injury of the minor or
7 any other person, commits a felony of the first degree,
8 punishable as provided in s. 775.082, s. 775.083, or s.
9 775.084.

10 Section 6. Section 784.05, Florida Statutes, is
11 amended to read:

12 784.05 Culpable negligence.--

13 (1) Whoever, through culpable negligence, exposes
14 another person to personal injury commits a misdemeanor of the
15 second degree, punishable as provided in s. 775.082 or s.
16 775.083.

17 (2) Whoever, through culpable negligence, inflicts
18 actual personal injury on another commits a misdemeanor of the
19 first degree, punishable as provided in s. 775.082 or s.
20 775.083.

21 (3) Whoever violates subsection (1) by storing or
22 leaving a loaded firearm within the reach or easy access of a
23 minor commits, if the minor obtains the firearm and uses it to
24 inflict injury or death upon himself or herself or any other
25 person, a felony of the third degree, punishable as provided
26 in s. 775.082, s. 775.083, or s. 775.084. A person convicted
27 of a violation of this subsection shall, in addition to any
28 criminal penalty, be fined not more than \$10,000 and shall
29 also be ordered by the sentencing judge to make restitution to
30 the victim of such offense and to perform up to 200 hours of
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1 community service work. However, this subsection does not
2 apply:

3 (a) If the firearm was stored or left in a securely
4 locked box or container or in a location which a reasonable
5 person would have believed to be secure, or was securely
6 locked with a trigger lock;

7 (b) If the minor obtains the firearm as a result of an
8 unlawful entry by any person;

9 (c) To injuries resulting from target or sport
10 shooting accidents or hunting accidents; or

11 (d) To members of the Armed Forces, National Guard, or
12 State Militia, or to police or other law enforcement officers,
13 with respect to firearm possession by a minor which occurs
14 during or incidental to the performance of their official
15 duties.

16
17 When any minor child is accidentally shot by another family
18 member, no arrest shall be made pursuant to this subsection
19 prior to 7 days after the date of the shooting. With respect
20 to any parent or guardian of any deceased minor, the
21 investigating officers shall file all findings and evidence
22 with the state attorney's office with respect to violations of
23 this subsection. The state attorney shall evaluate such
24 evidence and shall take such action as he or she deems
25 appropriate under the circumstances and may file an
26 information against the appropriate parties.

27 (4) As used in this act, the term "minor" means any
28 person under the age of 16.

29 Section 7. Section 790.174, Florida Statutes, is
30 amended to read:

31 790.174 Safe storage of firearms required.--

1 (1) A person who stores or leaves, on a premise under
2 his or her control or within the interior of a motor vehicle
3 owned or operated by such person, a loaded firearm, as defined
4 in s. 790.001, and who knows or reasonably should know that a
5 minor is likely to gain access to the firearm without the
6 lawful permission of the minor's parent or the person having
7 charge of the minor, or without the supervision required by
8 law, shall keep the firearm in a securely locked box or
9 container or in a location which a reasonable person would
10 believe to be secure or shall secure it with a trigger lock,
11 except when the person is carrying the firearm on his or her
12 body or within such close proximity thereto that he or she can
13 retrieve and use it as easily and quickly as if he or she
14 carried it on his or her body.

15 (2)(a) It is a misdemeanor of the second degree,
16 punishable as provided in s. 775.082 or s. 775.083, if a
17 person violates subsection (1) by failing to store or leave a
18 firearm in the required manner and as a result thereof a minor
19 gains access to the firearm, without the lawful permission of
20 the minor's parent or the person having charge of the minor,
21 and possesses or exhibits it, without the supervision required
22 by law:

23 1.(a) In a public place; or

24 2.(b) In a rude, careless, angry, or threatening
25 manner in violation of s. 790.10.

26 (b) It is a felony of the third degree, punishable as
27 provided in s. 775.082, s. 775.083, or s. 775.084, if a person
28 violates subsection (1) by failing to store or leave a firearm
29 in the required manner and as a result thereof a minor gains
30 access to the firearm, without the lawful permission of the
31 minor's parents or the person having charge of the minor, and

1 uses it to inflict injury or death upon himself or herself or
2 any other person. A person convicted of a violation of this
3 paragraph shall, in addition to any criminal penalty, be fined
4 not more than \$10,000 and shall also be ordered by the
5 sentencing judge to make restitution to the victim and to
6 perform up to 200 hours of community service work.

7
8 This subsection does not apply if the minor obtains the
9 firearm as a result of an unlawful entry by any person.

10 (3) As used in this act, the term "minor" means any
11 person under the age of 16.

12 Section 8. Section 985.4167, Florida Statutes, is
13 created to read:

14 985.4167 Community juvenile gun violence prevention
15 grants.--

16 (1) GRANTS; CRITERIA.--

17 (a) The Juvenile Justice Advisory Board and the Task
18 Force on School Safety, in conjunction with the Department of
19 Juvenile Justice, are authorized to develop a grant
20 application process for the award of community juvenile gun
21 violence prevention grants which may be awarded as part of the
22 community juvenile justice partnership grant program under s.
23 985.415. Juvenile gun violence prevention grants may be
24 awarded for programs which assist local school authorities,
25 law enforcement agencies, and community groups in educating
26 children about preventing juvenile gun violence and which
27 assist communities in developing partnerships between local
28 school authorities, law enforcement agencies, community
29 organizations, and parents in educating children about
30 preventing juvenile gun violence. The Department of Juvenile
31

1 Justice shall administer the program in accordance with the
2 requirements of this section and s. 985.415.

3 (b) In addition to the minimum requirements provided
4 in s. 985.415(1)(b), in awarding community juvenile gun
5 violence prevention grants, the department shall give priority
6 to applications that:

7 1. Provide for the reduction or prevention of juvenile
8 gun violence within the public school system.

9 2. Target public schools with a high incidence of
10 juvenile gun violence or a high incidence of weapons,
11 firearms, or destructive devices being brought onto public
12 school campuses.

13 (c) In addition to the requirements of s.
14 985.415(1)(c), in awarding grants under this section, the
15 department may consider the extent to which a proposed program
16 or project:

17 1. Educates children about the effects of gun
18 violence, which shall include:

19 a. Educating children to identify dangerous situations
20 in which guns are involved and how to avoid and prevent such
21 situations.

22 b. How to identify threats and other indications that
23 a peer is in possession of a gun and may use a gun, and what
24 steps to take in such situations.

25 c. The development of programs which give children
26 access to adults to whom they can report in a confidential
27 manner about problems relating to guns.

28 2. Improves security on public elementary school,
29 middle school, and high school campuses in a manner that will
30 prevent students and nonstudents from entering school grounds
31 with weapons or firearms.

1 3. Encourages and develops schoolwide programs and
2 partnerships that involve teachers, students, parents,
3 administrators, other staff, and members of the community in
4 reducing incidents involving weapons, firearms, or destructive
5 devices in public schools.

6 4. Establishes programs that assist parents in helping
7 to educate their children about gun safety and the prevention
8 of gun violence.

9 5. Provides ongoing professional development for
10 public school staff and administrators to identify the causes
11 and effects of gun violence, and risk factors and student
12 behavior that may result in gun violence.

13 6. Provides technical assistance for school
14 psychologists and counselors which will enable timely
15 counseling and evaluations, in accordance with state and local
16 laws, of students who possess a weapon on school grounds and
17 of victims of juvenile gun violence.

18 7. Assists public schools and communities in reviewing
19 and updating crisis response plans with respect to the
20 discovery of weapons, firearms, or destructive devices on a
21 school campus or an incident of juvenile gun violence, or
22 assists public schools and communities in developing crisis
23 response plans where none currently exist.

24 8. Supports or is coordinated with other federal,
25 state, and local programs that educate children about personal
26 health, safety, and responsibility, including programs carried
27 out under the Safe and Drug-Free Schools and Communities Act
28 of 1994 (20 U.S.C. 7101 et seq.).

29 9. Serves a population with a high incidence of public
30 school students found in possession of a weapon or destructive
31 device on school property, or students suspended or expelled

1 for bringing a weapon or destructive device onto school
2 grounds.
3 10. Establishes a partnership composed of not less
4 than one representative from each of the following:
5 a. A local school authority.
6 b. A public or private nonprofit agency or
7 organization with experience in violence prevention.
8 c. A local law enforcement agency.
9 (2) GRANT APPLICATION PROCEDURES.--
10 (a) Grants awarded under this section shall comply
11 with all requirements of s. 985.415. Each entity wishing to
12 apply for an annual community juvenile gun violence prevention
13 grant, which may be renewed for a maximum of 2 additional
14 years for the same provision of services, shall submit a grant
15 proposal for funding or continued funding to the department.
16 The department shall establish the grant application
17 procedures. In order to be considered for funding, the grant
18 proposal shall include the assurances and information required
19 under s. 985.415(2).
20 (b) In addition to the requirements of s.
21 985.415(2)(b), the department shall give priority for
22 selection to those school districts with the highest incidence
23 of juvenile gun-related violence and the highest incidence of
24 students bringing a weapon, firearm, or destructive device
25 onto the grounds of a public school.
26 (c) The department shall make available, to anyone
27 wishing to apply for a community juvenile gun violence
28 prevention grant, information on all of the criteria to be
29 used in the selection of the proposals for funding pursuant to
30 the provisions of this subsection and s. 985.415.
31

1 (d) The department shall review all program proposals
2 submitted. Entities submitting proposals shall be notified of
3 approval not later than June 30 of each year.

4 (e) Each entity that is awarded a grant as provided
5 for in this section shall submit an annual evaluation report
6 to the department, the district juvenile justice manager, the
7 district juvenile justice board, and the county juvenile
8 justice council, by a date subsequent to the end of the
9 contract period established by the department, documenting the
10 extent to which the program objectives have been met, the
11 effect of the program on reducing the incidence of juvenile
12 gun violence, and any other information required by the
13 department. The department shall coordinate and incorporate
14 all such annual evaluation reports with the provisions of s.
15 985.412. Each entity is also subject to a financial audit and
16 a performance audit.

17 (f) The department may establish rules and policy
18 provisions necessary to implement this section.

19 (3) RESTRICTIONS.--This section does not prevent a
20 program initiated under a community juvenile gun violence
21 prevention grant established pursuant to this section from
22 continuing to operate beyond the 3-year maximum funding period
23 if it can find other funding sources. Likewise, this section
24 does not restrict the number of programs an entity may apply
25 for or operate.

26 Section 9. Section 985.415, Florida Statutes, is
27 amended to read:

28 985.415 Community Juvenile Justice Partnership
29 Grants.--

30 (1) GRANTS; CRITERIA.--

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1 (a) In order to encourage the development of county
2 and district juvenile justice plans and the development and
3 implementation of county and district interagency agreements
4 pursuant to ss. 985.413 and 985.414, the community juvenile
5 justice partnership grant program is established, and shall be
6 administered by the Department of Juvenile Justice.

7 (b) In awarding these grants, the department shall
8 consider applications that at a minimum provide for the
9 following:

10 1. The participation of the agencies and programs
11 needed to implement the project or program for which the
12 applicant is applying;

13 2. The reduction of truancy and in-school and
14 out-of-school suspensions and expulsions, the reduction of
15 gun-related violence among juveniles, the enhancement of
16 school safety, and other delinquency early-intervention and
17 diversion services;

18 3. The number of youths from 10 through 17 years of
19 age within the geographic area to be served by the program,
20 giving those geographic areas having the highest number of
21 youths from 10 to 17 years of age priority for selection;

22 4. The extent to which the program targets
23 high-juvenile-crime neighborhoods and those public schools
24 serving juveniles from high-crime neighborhoods;

25 5. The validity and cost-effectiveness of the program;
26 and

27 6. The degree to which the program is located in and
28 managed by local leaders of the target neighborhoods and
29 public schools serving the target neighborhoods.

30 (c) In addition, the department may consider the
31 following criteria in awarding grants:

1 1. The district juvenile justice plan and any county
2 juvenile justice plans that are referred to or incorporated
3 into the district plan, including a list of individuals,
4 groups, and public and private entities that participated in
5 the development of the plan.

6 2. The diversity of community entities participating
7 in the development of the district juvenile justice plan.

8 3. The number of community partners who will be
9 actively involved in the operation of the grant program.

10 4. The number of students or youths to be served by
11 the grant and the criteria by which they will be selected.

12 5. The criteria by which the grant program will be
13 evaluated and, if deemed successful, the feasibility of
14 implementation in other communities.

15 (2) GRANT APPLICATION PROCEDURES.--

16 (a) Each entity wishing to apply for an annual
17 community juvenile justice partnership grant or a community
18 juvenile gun violence prevention grant under s. 985.4167,
19 which may be renewed for a maximum of 2 additional years for
20 the same provision of services, shall submit a grant proposal
21 for funding or continued funding to the department. The
22 department shall establish the grant application procedures.
23 In order to be considered for funding, the grant proposal
24 shall include the following assurances and information:

25 1. A letter from the chair of the county juvenile
26 justice council confirming that the grant application has been
27 reviewed and found to support one or more purposes or goals of
28 the juvenile justice plan as developed by the council.

29 2. A rationale and description of the program and the
30 services to be provided, including goals and objectives.

31

1 3. A method for identification of the juveniles most
2 likely to be involved in the juvenile justice system who will
3 be the focus of the program.

4 4. Provisions for the participation of parents and
5 guardians in the program.

6 5. Coordination with other community-based and social
7 service prevention efforts, including, but not limited to,
8 drug and alcohol abuse prevention and dropout prevention
9 programs, and programs aimed at preventing juvenile gun
10 violence, that serve the target population or neighborhood.

11 6. An evaluation component to measure the
12 effectiveness of the program in accordance with the provisions
13 of s. 985.412.

14 7. A program budget, including the amount and sources
15 of local cash and in-kind resources committed to the budget.
16 The proposal must establish to the satisfaction of the
17 department that the entity will make a cash or in-kind
18 contribution to the program of a value that is at least equal
19 to 20 percent of the amount of the grant.

20 8. The necessary program staff.

21 (b) The department shall consider the following in
22 awarding such grants:

23 1. The recommendations of the juvenile justice council
24 as to the priority that should be given to proposals submitted
25 by entities within a county.

26 2. The recommendations of the juvenile justice board
27 as to the priority that should be given to proposals submitted
28 by entities within a district.

29 (c) The department shall make available, to anyone
30 wishing to apply for such a grant, information on all of the
31

1 criteria to be used in the selection of the proposals for
2 funding pursuant to the provisions of this subsection.

3 (d) The department shall review all program proposals
4 submitted. Entities submitting proposals shall be notified of
5 approval not later than June 30 of each year.

6 (e) Each entity that is awarded a grant as provided
7 for in this section shall submit an annual evaluation report
8 to the department, the district juvenile justice manager, the
9 district juvenile justice board, and the county juvenile
10 justice council, by a date subsequent to the end of the
11 contract period established by the department, documenting the
12 extent to which the program objectives have been met, the
13 effect of the program on the juvenile arrest rate or the
14 incidence of juvenile gun violence, and any other information
15 required by the department. The department shall coordinate
16 and incorporate all such annual evaluation reports with the
17 provisions of s. 985.412. Each entity is also subject to a
18 financial audit and a performance audit.

19 (f) The department may establish rules and policy
20 provisions necessary to implement this section.

21 (3) RESTRICTIONS.--This section does not prevent a
22 program initiated under a community juvenile justice
23 partnership grant established pursuant to this section or a
24 community juvenile gun violence prevention grant established
25 pursuant to s. 985.4167 from continuing to operate beyond the
26 3-year maximum funding period if it can find other funding
27 sources. Likewise, this section does not restrict the number
28 of programs an entity may apply for or operate.

29 Section 10. There is hereby appropriated the sum of \$1
30 million from the General Revenue Fund to the Department of
31 Juvenile Justice to fund the community juvenile gun violence

1 prevention grant program established pursuant to s. 985.4166,
2 Florida Statutes, as created by this act.

3 Section 11. This act shall take effect July 1, 2000.

4
5 *****

6 HOUSE SUMMARY

7 Creates the "Children's Firearms Responsibility Act of
8 2000."

9
10 Defines "unsafe handgun" and "assault weapon." Prohibits
11 the manufacture or importation of unsafe handguns and
12 assault weapons into the state. Provides exceptions.
13 Provides a third degree felony penalty for violation.
14 Prohibits the furnishing of unsafe handguns and assault
15 weapons to minors under 18 years of age. Provides a
16 second degree felony penalty for violation and a first
17 degree felony penalty when violation results in death or
18 bodily injury. With respect to culpable negligence,
19 provides for a fine of not more than \$10,000, payment of
20 restitution, and community service in addition to
21 existing criminal penalties for persons convicted of
22 leaving a loaded firearm within the reach or easy access
23 of a minor when use of the firearm results in injury or
24 death. Provides a third degree felony penalty for
25 failure to store or leave a loaded firearm as required by
26 law when a minor gains access to the firearm. Expands
27 applicability of such provisions to loaded firearms
28 stored within the interior of a motor vehicle. Provides
29 for a fine of not more than \$10,000, payment of
30 restitution, and community service in addition to
31 existing criminal penalty.

21 Establishes the juvenile gun violence prevention grant
22 program to be administered by the Department of Juvenile
23 Justice as part of the community juvenile justice
24 partnership grant program. Provides for grant
25 application process. Provides a \$1 million appropriation
26 to the Department of Juvenile Justice for the purpose of
27 funding the community juvenile gun violence prevention
28 grant program.