

By Senator Geller

29-196A-01

1                                   A bill to be entitled  
2           An act relating to weapons and firearms;  
3           creating s. 790.0625, F.S.; requiring that a  
4           person obtain a license from the Office of the  
5           Attorney General before purchasing a handgun;  
6           defining the term "handgun"; requiring that a  
7           person undergo a background check and  
8           successfully complete a course on handgun  
9           safety in order to obtain a handgun license;  
10          providing for issuance of a renewal handgun  
11          license; authorizing the Office of the Attorney  
12          General to adopt rules; providing for fees;  
13          providing requirements for issuing licenses;  
14          providing a penalty for purchasing a handgun  
15          without a license; providing that certain law  
16          enforcement officers and correctional officers  
17          are exempt from licensure; amending s. 790.25,  
18          F.S., relating to the lawful ownership,  
19          possession, and use of firearms; conforming  
20          provisions to changes made by the act;  
21          providing an effective date.

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

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25           Section 1. Section 790.0625, Florida Statutes, is  
26 created to read:

27           790.0625 License required to purchase handgun;  
28 penalty; exemption.--

29           (1)(a) A person may not purchase by commercial sale or  
30 private sale or otherwise obtain a handgun in this state

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1 without first obtaining a license from the Office of the  
2 Attorney General, as provided in this section.

3 (b) As used in this section, the term "handgun" means  
4 any firearm capable of being carried and used by one hand,  
5 such as a pistol or revolver.

6 (2) To obtain an initial license to purchase a  
7 handgun, the applicant must be eligible to purchase a firearm,  
8 as determined by a criminal background check conducted under  
9 s. 790.065, and demonstrate successful completion of a 6-hour  
10 education course on handgun safety. The Office of the Attorney  
11 General shall design and approve curricula for the education  
12 course, which may be offered by a private instructor or  
13 school, and must include:

14 (a) Two hours in general handgun safety.

15 (b) One hour in handgun safety around children.

16 (c) One hour in handgun law.

17 (d) Two hours in handgun marksmanship.

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19 An initial license is valid for 4 years and must display its  
20 effective date and expiration date and the full name,  
21 birthdate, residence address, and fullface photograph of the  
22 licenseholder.

23 (3) To obtain a renewal license to possess a handgun,  
24 a licenseholder must successfully complete a 3-hour refresher  
25 course on handgun safety within the 1 month before the  
26 expiration date of the licenseholder's current handgun  
27 license. The Office of the Attorney General shall design and  
28 approve curricula for the refresher course, which may be  
29 offered by a private instructor or school, and must include:

30 (a) One hour in handgun safety.

31 (b) Two hours in handgun marksmanship.

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2 The renewal license is valid for 4 years and must include the  
3 updated version of the information required to be displayed on  
4 the initial license.

5 (4) The Office of the Attorney General may adopt rules  
6 to:

7 (a) Certify and regulate instructors and schools of  
8 handgun-safety education.

9 (b) Establish course curricula for and administer the  
10 provision of handgun-safety education.

11 (c) Establish minimum qualification standards and  
12 criteria for obtaining a handgun license.

13 (d) Verify the qualifications of applicants for  
14 licensure.

15 (e) Enforce procedures governing the licensure of  
16 handgun purchasers.

17 (5) The Office of the Attorney General shall establish  
18 fees, to be paid by the applicant, for the education courses  
19 on handgun safety which are required for the initial and  
20 renewal handgun license. The Office of the Attorney General  
21 shall also establish fees, to be paid by the applicant, for  
22 issuing the initial and renewal license.

23 (6) Upon an applicant's successful completion of a  
24 6-hour course on handgun safety or a 3-hour refresher course  
25 on handgun safety, the instructor or school shall provide the  
26 applicant with a certificate of completion which indicates the  
27 name and business address of the instructor or school, the  
28 curricula and duration of the course completed, and any other  
29 information that the Office of the Attorney General requires  
30 by rule.

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1           (7)(a) The applicant must present a certificate  
2 showing successful completion of the required course on  
3 handgun safety to the Office of the Attorney General, together  
4 with any other information that the Office of the Attorney  
5 General requires by rule. Upon receipt of all required  
6 material from an applicant, the Office of the Attorney General  
7 shall approve or disapprove issuance of the handgun license  
8 and, if approved, shall direct that the license be issued to  
9 the applicant in person at a location within the area of  
10 residence of the applicant.

11           (b) If an application for an initial license is  
12 approved, the license must be issued within 1 month after the  
13 Office of the Attorney General receives all required material.  
14 If an application for a renewal license is approved, the  
15 license must be issued within 2 weeks after the Office of the  
16 Attorney General receives all required material.

17           (8) Any person who obtains a handgun in violation of  
18 this section commits a misdemeanor of the second degree,  
19 punishable as provided in s. 775.082 or s. 775.083.

20           (9) Any person employed or appointed as a full-time,  
21 part-time, or auxiliary law enforcement officer, correctional  
22 officer, or correctional probation officer is exempt from the  
23 license requirements of this section.

24           Section 2. Paragraph (c) is added to subsection (2) of  
25 section 790.25, Florida Statutes, to read:

26           790.25 Lawful ownership, possession, and use of  
27 firearms and other weapons.--

28           (2) USES NOT AUTHORIZED.--

29           (c) This section does not authorize a person to  
30 purchase or otherwise obtain a handgun without obtaining a  
31 license, as required under s. 790.0625.

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Section 3. This act shall take effect October 1, 2001.

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SENATE SUMMARY

Provides that a person may not obtain a handgun unless the person first obtains a license from the Office of the Attorney General. Provides requirements for obtaining a handgun license or a renewal handgun license. Provides requirements for the Office of the Attorney General in administering the issuance of handgun licenses. Provides that it is a second-degree misdemeanor to purchase a handgun without obtaining a license. Exempts law enforcement officers, correctional officers, and correctional probation officers from licensure. (See bill for details.)