## Florida Senate - 2002

By Senator Geller

1A bill to be entitled2An act relating to weapons and firearms;3creating s. 790.0625, F.S.; requiring that a4person obtain a license from the Office of the5Attorney General before purchasing a handgun;6defining the term "handgun"; requiring that a7person undergo a background check and8successfully complete a course on handgun9safety in order to obtain a handgun license;10providing for issuance of a renewal handgun11license; authorizing the Office of the Attorney12General to adopt rules; providing for fees;13providing requirements for issuing licenses;14providing a penalty for purchasing a handgun15without a license; providing that certain law16enforcement officers and correctional officers17are exempt from licensure; amending s. 790.25,18F.S., relating to the lawful ownership,19possession, and use of firearms; conforming20provisions to changes made by the act;21providing an effective date.2223Be It Enacted by the Legislature of the State of Florida:2425Section 1. Section 790.0625, Florida Statutes, is2627790.0625 License required to purchase handgun;28292020212223242535363637<		29-92-02
3creating s. 790.0625, F.S.; requiring that a4person obtain a license from the Office of the5Attorney General before purchasing a handgun;6defining the term "handgun"; requiring that a7person undergo a background check and8successfully complete a course on handgun9safety in order to obtain a handgun license;10providing for issuance of a renewal handgun11license; authorizing the Office of the Attorney12General to adopt rules; providing for fees;13providing requirements for issuing licenses;14providing a penalty for purchasing a handgun15without a license; providing that certain law16enforcement officers and correctional officers17are exempt from licensure; amending s. 790.25,18F.S., relating to the lawful ownership,19possession, and use of firearms; conforming20providing an effective date.21Section 1. Section 790.0625, Florida Statutes, is25created to read:27 <u>790.0625 License required to purchase handgun;28penalty; exemption29(1)(a) A person may not purchase by commercial sale or30private sale or otherwise obtain a handgun in this state</u>	1	A bill to be entitled
4person obtain a license from the Office of the5Attorney General before purchasing a handgun;6defining the term "handgun"; requiring that a7person undergo a background check and8successfully complete a course on handgun9safety in order to obtain a handgun license;10providing for issuance of a renewal handgun11license; authorizing the Office of the Attorney12General to adopt rules; providing for fees;13providing requirements for issuing licenses;14providing a penalty for purchasing a handgun15without a license; providing that certain law16enforcement officers and correctional officers17are exempt from licensure; amending s. 790.25,18F.S., relating to the lawful ownership,19possession, and use of firearms; conforming20providing an effective date.22Section 1. Section 790.0625, Florida Statutes, is23Be It Enacted by the Legislature of the State of Florida:24 <u>790.0625 License required to purchase handgun;25penalty; exemption29(1)(a) A person may not purchase by commercial sale or30private sale or otherwise obtain a handgun in this state</u>	2	An act relating to weapons and firearms;
Attorney General before purchasing a handgun;6defining the term "handgun"; requiring that a7person undergo a background check and8successfully complete a course on handgun9safety in order to obtain a handgun license;10providing for issuance of a renewal handgun11license; authorizing the Office of the Attorney12General to adopt rules; providing for fees;13providing requirements for issuing licenses;14providing a penalty for purchasing a handgun15without a license; providing that certain law16enforcement officers and correctional officers17are exempt from licensure; amending s. 790.25,18F.S., relating to the lawful ownership,19possession, and use of firearms; conforming20providing an effective date.22Section 1. Section 790.0625, Florida Statutes, is23Section 1. Section 790.0625, Florida Statutes, is24790.0625 License required to purchase handgun;25penalty; exemption29(1)(a) A person may not purchase by commercial sale or30private sale or otherwise obtain a handgun in this state	3	creating s. 790.0625, F.S.; requiring that a
defining the term "handgun"; requiring that a person undergo a background check and successfully complete a course on handgun safety in order to obtain a handgun license; providing for issuance of a renewal handgun license; authorizing the Office of the Attorney General to adopt rules; providing for fees; providing requirements for issuing licenses; providing a penalty for purchasing a handgun without a license; providing that certain law enforcement officers and correctional officers are exempt from licensure; amending s. 790.25, F.S., relating to the lawful ownership, possession, and use of firearms; conforming providing an effective date. Be It Enacted by the Legislature of the State of Florida: Section 1. Section 790.0625, Florida Statutes, is created to read: 790.0625 License required to purchase handgun; penalty; exemption (1)(a) A person may not purchase by commercial sale or	4	person obtain a license from the Office of the
7person undergo a background check and8successfully complete a course on handgun9safety in order to obtain a handgun license;10providing for issuance of a renewal handgun11license; authorizing the Office of the Attorney12General to adopt rules; providing for fees;13providing requirements for issuing licenses;14providing a penalty for purchasing a handgun15without a license; providing that certain law16enforcement officers and correctional officers17are exempt from licensure; amending s. 790.25,18F.S., relating to the lawful ownership,19possession, and use of firearms; conforming20providing an effective date.22Section 1. Section 790.0625, Florida Statutes, is23created to read:24790.0625 License required to purchase handgun;25penalty; exemption29(1)(a) A person may not purchase by commercial sale or30private sale or otherwise obtain a handgun in this state	5	Attorney General before purchasing a handgun;
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. 22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 (1)(a) A person may not purchase by commercial sale or 29 private sale or otherwise obtain a handgun in this state	6	defining the term "handgun"; requiring that a
9 safety in order to obtain a handgun license; providing for issuance of a renewal handgun license; authorizing the Office of the Attorney General to adopt rules; providing for fees; providing requirements for issuing licenses; providing a penalty for purchasing a handgun without a license; providing that certain law enforcement officers and correctional officers are exempt from licensure; amending s. 790.25, F.S., relating to the lawful ownership, possession, and use of firearms; conforming provisions to changes made by the act; providing an effective date. Be It Enacted by the Legislature of the State of Florida: Section 1. Section 790.0625, Florida Statutes, is created to read: <u>790.0625 License required to purchase handgun; penalty; exemption</u> (1)(a) A person may not purchase by commercial sale or private sale or otherwise obtain a handgun in this state	7	person undergo a background check and
10 providing for issuance of a renewal handgun 11 license; authorizing the Office of the Attorney 22 General to adopt rules; providing for fees; 33 providing requirements for issuing licenses; 44 providing a penalty for purchasing a handgun 55 without a license; providing that certain law 66 enforcement officers and correctional officers 77 are exempt from licensure; amending s. 790.25, 78 F.S., relating to the lawful ownership, 9 possession, and use of firearms; conforming 20 provisions to changes made by the act; 21 providing an effective date. 22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 penalty; exemption 29 (1)(a) A person may not purchase by commercial sale or 29 private sale or otherwise obtain a handgun in this state	8	successfully complete a course on 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. 22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 (1)(a) A person may not purchase by commercial sale or 29 private sale or otherwise obtain a handgun in this state	9	safety in order to obtain a handgun license;
12General to adopt rules; providing for fees;13providing requirements for issuing licenses;14providing a penalty for purchasing a handgun15without a license; providing that certain law16enforcement officers and correctional officers17are exempt from licensure; amending s. 790.25,18F.S., relating to the lawful ownership,19possession, and use of firearms; conforming20provisions to changes made by the act;21providing an effective date.222323Be It Enacted by the Legislature of the State of Florida:242525Section 1. Section 790.0625, Florida Statutes, is26created to read:27790.0625 License required to purchase handgun;28penalty; exemption29(1)(a) A person may not purchase by commercial sale or30private sale or otherwise obtain a handgun in this state	10	providing for issuance of a renewal handgun
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. 22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 <u>(1)(a) A person may not purchase by commercial sale or</u> 20 private sale or otherwise obtain a handgun in this state	11	license; authorizing the Office of the Attorney
14 providing a penalty for purchasing a handgun 15 without a license; providing that certain law 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. 22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 (1)(a) A person may not purchase by commercial sale or 20 private sale or otherwise obtain a handgun in this state	12	General to adopt rules; providing for fees;
15 without a license; providing that certain law enforcement officers and correctional officers are exempt from licensure; amending s. 790.25, F.S., relating to the lawful ownership, possession, and use of firearms; conforming provisions to changes made by the act; providing an effective date. 22 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 (1)(a) A person may not purchase by commercial sale or 20 private sale or otherwise obtain a handgun in this state	13	providing requirements for issuing licenses;
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. 22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 <u>(1)(a) A person may not purchase by commercial sale or</u> 20 private sale or otherwise obtain a handgun in this state	14	providing a penalty for purchasing a handgun
<pre>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. 22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 <u>(1)(a) A person may not purchase by commercial sale or</u> 30 <u>private sale or otherwise obtain a handgun in this state</u></pre>	15	without a license; providing that certain law
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. 22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 <u>(1)(a) A person may not purchase by commercial sale or</u> 30 private sale or otherwise obtain a handgun in this state	16	enforcement officers and correctional officers
19 possession, and use of firearms; conforming 20 provisions to changes made by the act; 21 providing an effective date. 22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 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	17	are exempt from licensure; amending s. 790.25,
20 provisions to changes made by the act; 21 providing an effective date. 22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 (1)(a) A person may not purchase by commercial sale or 30 private sale or otherwise obtain a handgun in this state	18	F.S., relating to the lawful ownership,
21 providing an effective date. 22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 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	19	possession, and use of firearms; conforming
22 23 Be It Enacted by the Legislature of the State of Florida: 24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 <u>(1)(a) A person may not purchase by commercial sale or</u> 30 <u>private sale or otherwise obtain a handgun in this state</u>	20	provisions to changes made by the act;
Be It Enacted by the Legislature of the State of Florida: Section 1. Section 790.0625, Florida Statutes, is created to read: <u>790.0625 License required to purchase handgun;</u> penalty; exemption (1)(a) A person may not purchase by commercial sale or private sale or otherwise obtain a handgun in this state	21	providing an effective date.
24 25 Section 1. Section 790.0625, Florida Statutes, is 26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 <u>(1)(a) A person may not purchase by commercial sale or</u> 30 <u>private sale or otherwise obtain a handgun in this state</u>	22	
Section 1. Section 790.0625, Florida Statutes, is created to read: <u>790.0625 License required to purchase handgun;</u> penalty; exemption (1)(a) A person may not purchase by commercial sale or private sale or otherwise obtain a handgun in this state	23	Be It Enacted by the Legislature of the State of Florida:
<pre>26 created to read: 27 <u>790.0625 License required to purchase handgun;</u> 28 penalty; exemption 29 <u>(1)(a) A person may not purchase by commercial sale or</u> 30 private sale or otherwise obtain a handgun in this state</pre>	24	
27 <u>790.0625 License required to purchase handgun;</u> 28 <u>penalty; exemption</u> 29 <u>(1)(a) A person may not purchase by commercial sale or</u> 30 <u>private sale or otherwise obtain a handgun in this state</u>	25	Section 1. Section 790.0625, Florida Statutes, is
28 <u>penalty; exemption</u> 29 <u>(1)(a) A person may not purchase by commercial sale or</u> 30 <u>private sale or otherwise obtain a handgun in this state</u>	26	created to read:
29 <u>(1)(a) A person may not purchase by commercial sale or</u> 30 private sale or otherwise obtain a handgun in this state	27	790.0625 License required to purchase handgun;
30 private sale or otherwise obtain a handgun in this state	28	penalty; exemption
	29	(1)(a) A person may not purchase by commercial sale or
31	30	private sale or otherwise obtain a handgun in this state
	31	

1

**CODING:**Words stricken are deletions; words <u>underlined</u> are additions.

1 without first obtaining a license from the Office of the Attorney General, as provided in this section. 2 3 (b) As used in this section, the term "handgun" means any firearm capable of being carried and used by one hand, 4 5 such as a pistol or revolver. (2) To obtain an initial license to purchase a б 7 handqun, 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 course, which may be offered by a private instructor or 12 school, and must include: 13 Two hours in general handgun safety. 14 (a) One hour in handgun safety around children. 15 (b) (c) One hour in handgun law. 16 17 (d) Two hours in handgun marksmanship. 18 19 An initial license is valid for 4 years and must display its effective date and expiration date and the full name, 20 birthdate, residence address, and fullface photograph of the 21 22 licenseholder. To obtain a renewal license to possess a handgun, 23 (3) 24 a licenseholder must successfully complete a 3-hour refresher course on handgun safety within 1 month before the expiration 25 date of the licenseholder's current handgun license. The 26 27 Office of the Attorney General shall design and approve curricula for the refresher course, which may be offered by a 28 private instructor or school, and must include: 29 30 (a) One hour in handgun safety. 31 (b) Two hours in handgun marksmanship.

CODING: Words stricken are deletions; words underlined are additions.

2

1 The renewal license is valid for 4 years and must include the 2 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 б 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 criteria for obtaining a handgun license. 12 (d) Verify the qualifications of applicants for 13 14 licensure. 15 (e) Enforce procedures governing the licensure of 16 handgun purchasers. 17 The Office of the Attorney General shall establish (5) fees, to be paid by the applicant, for the education courses 18 19 on handgun safety which are required for the initial and renewal handgun license. The Office of the Attorney General 20 21 shall also establish fees, to be paid by the applicant, for issuing the initial and renewal license. 22 (6) Upon an applicant's successful completion of a 23 24 6-hour course on handgun safety or a 3-hour refresher course on handgun safety, the instructor or school shall provide the 25 applicant with a certificate of completion which indicates the 26 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. 31

**CODING:**Words stricken are deletions; words <u>under</u>lined are additions.

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
б	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.
	4

**CODING:**Words stricken are deletions; words <u>underlined</u> are additions.

Florida Senate - 2002 29-92-02

1	Section 3. This act shall take effect October 1, 2002.
2	
3	* * * * * * * * * * * * * * * * * * * *
4	SENATE SUMMARY
5	Provides that a person may not obtain a handgun unless the person first obtains a license from the Office of the
6	Attorney General. Provides requirements for obtaining a handgun license or a renewal handgun license. Provides
7	requirements for the Office of the Attorney General in administering the issuance of handgun licenses. Provides
8	that it is a second-degree misdemeanor to purchase a handgun without obtaining a license. Exempts law
9	enforcement officers, correctional officers, and correctional probation officers from licensure. (See bill
10	for details.)
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29 20	
30 31	
JT	5
	J

**CODING:**Words stricken are deletions; words <u>underlined</u> are additions.

SB 118