

By Senator Haridopolos

26-1665-04

See HB

1 A bill to be entitled

2 An act relating to regulation of weapons and

3 firearms in seaports; amending s. 790.001,

4 F.S.; revising the definition of "sterile area"

5 to include that area of a seaport passenger

6 terminal to which access is controlled by the

7 inspection of persons and property in

8 accordance with a state-approved seaport

9 security plan; amending s. 790.06, F.S.;

10 prohibiting the carrying of a concealed weapon

11 or firearm inside the passenger terminal and

12 sterile area of any seaport; providing a second

13 degree misdemeanor penalty for violation;

14 amending s. 790.165, F.S.; including seaports

15 within nonapplicability provisions with respect

16 to specified unlawful activities relating to

17 hoax bombs; providing an effective date.

18

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

20

21 Section 1. Subsection (18) of section 790.001, Florida

22 Statutes, is amended to read:

23 790.001 Definitions.--As used in this chapter, except

24 where the context otherwise requires:

25 (18) "Sterile area" means:

26 (a) The area of an airport to which access is

27 controlled by the inspection of persons and property in

28 accordance with federally approved airport security programs;

29 or

30

31

1 (b) The area of a seaport passenger terminal to which
2 access is controlled by the inspection of persons and property
3 in accordance with a state-approved seaport security plan.

4 Section 2. Subsection (12) of section 790.06, Florida
5 Statutes, is amended to read:

6 790.06 License to carry concealed weapon or firearm.--

7 (12) No license issued pursuant to this section shall
8 authorize any person to carry a concealed weapon or firearm
9 into any place of nuisance as defined in s. 823.05; any
10 police, sheriff, or highway patrol station; any detention
11 facility, prison, or jail; any courthouse; any courtroom,
12 except that nothing in this section would preclude a judge
13 from carrying a concealed weapon or determining who will carry
14 a concealed weapon in his or her courtroom; any polling place;
15 any meeting of the governing body of a county, public school
16 district, municipality, or special district; any meeting of
17 the Legislature or a committee thereof; any school, college,
18 or professional athletic event not related to firearms; any
19 school administration building; any portion of an
20 establishment licensed to dispense alcoholic beverages for
21 consumption on the premises, which portion of the
22 establishment is primarily devoted to such purpose; any
23 elementary or secondary school facility; any area technical
24 center; any college or university facility unless the licensee
25 is a registered student, employee, or faculty member of such
26 college or university and the weapon is a stun gun or
27 nonlethal electric weapon or device designed solely for
28 defensive purposes and the weapon does not fire a dart or
29 projectile; inside the passenger terminal and sterile area of
30 any airport, provided that no person shall be prohibited from
31 carrying any legal firearm into the terminal, which firearm is

1 encased for shipment for purposes of checking such firearm as
2 baggage to be lawfully transported on any aircraft; inside the
3 passenger terminal and sterile area of any seaport; or any
4 place where the carrying of firearms is prohibited by federal
5 law. Any person who willfully violates any provision of this
6 subsection commits a misdemeanor of the second degree,
7 punishable as provided in s. 775.082 or s. 775.083.

8 Section 3. Subsection (4) of section 790.165, Florida
9 Statutes, is amended to read:

10 790.165 Planting of "hoax bomb" prohibited;
11 penalties.--

12 (2) Any person who, without lawful authority,
13 manufactures, possesses, sells, delivers, sends, mails,
14 displays, uses, threatens to use, attempts to use, or
15 conspires to use, or who makes readily accessible to others, a
16 hoax bomb commits a felony of the second degree, punishable as
17 provided in s. 775.082, s. 775.083, or s. 775.084.

18 (4) Subsection (2) does not apply to any law
19 enforcement officer, firefighter, person, or corporation
20 licensed pursuant to chapter 493, or member of the armed
21 forces of the United States while engaged in training or other
22 lawful activity within the scope of his or her employment, or
23 to any person properly authorized to test a security system,
24 or to any security personnel, while operating within the scope
25 of their employment, including, but not limited to, security
26 personnel in airports, seaports, and other controlled access
27 areas, or to any member of a theatrical company or production
28 using a hoax bomb as property during the course of a rehearsal
29 or performance.

30 Section 4. This act shall take effect upon becoming a
31 law.