

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

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

7 (c) To injuries resulting from target or sport
8 shooting accidents or hunting accidents; or

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

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

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

27 (5) A person who violates subsection (1) by driving
28 under the influence as proscribed by s. 316.193 commits a
29 misdemeanor of the first degree, punishable as provided in s.
30 775.082 or s. 775.083, if, at the time of the offense, the
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1 person is accompanied in the vehicle by a person younger than
2 18 years of age.

3 Section 2. This act shall take effect July 1, 2005.

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6 SENATE SUMMARY

7 Provides that a person who commits culpable negligence by
8 driving under the influence commits a first-degree
9 misdemeanor rather than a second-degree misdemeanor if a
10 person younger than 18 years of age is in the vehicle at
11 the time of the offense.

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