

By Senator Siplin

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A bill to be entitled

An act relating to weapons; creating s.
790.223, F.S.; providing that manufacture,
display, sale, repair, or possession of a stun
gun is illegal; providing criminal penalties;
providing exceptions; providing an effective
date.

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

Section 1. Section 790.223, Florida Statutes, is
created to read:

790.223 Stun gun unlawful to manufacture, sell,
repair, or possess; penalty.--

(1) "Stun gun" as used in this section is any item,
including a taser, used or intended to be used as either an
offensive or defensive weapon capable of temporarily
immobilizing a person by the infliction of an electrical
charge.

(2) It is unlawful for any person to manufacture,
display, sell, repair, own, possess, or use a stun gun.

(3)(a) Any person who manufactures, displays, sells,
offers for sale, repairs, or delivers any stun gun is guilty
of a misdemeanor of the first degree, punishable as provided
in s. 775.082 or s. 775.083.

(b) Any person who possesses a stun gun is guilty of a
misdemeanor of the first degree, punishable as provided in s.
775.082 or s. 775.083.

(c) Any person who possesses with intent to use a stun
gun in the commission of a criminal act is guilty of a felony

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

3 (4) This section does not apply to:

4 (a) The possession of any item described in subsection
5 (1) by any law enforcement agency or by any law enforcement
6 officer, when possessed in connection with the performance of
7 his or her duty as a law enforcement officer.

8 (b) The manufacture or repair of items described in
9 subsection (1) exclusively for sale or delivery to law
10 enforcement agencies.

11 (c) The sale, repair, or delivery of items described
12 in subsection (1) to law enforcement agencies.

13 Section 2. This act shall take effect upon becoming a
14 law.

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17 SENATE SUMMARY

18 Prohibits the manufacture, display, sale, or possession
19 of a stun gun. Provides criminal penalties.
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