

By Senator Siplin

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A bill to be entitled

An act relating to the sale of imitation firearms to minors; defining the term "imitation firearm"; prohibiting the sale of an imitation firearm to a minor; providing a penalty; providing an effective date.

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

Section 1. Sale of imitation firearms to minors prohibited; penalties.--

(1) As used in this section, the term "imitation firearm" means any toy gun, replica of a firearm, traditional BB gun, paintball gun, pellet-firing air gun, air-soft gun that fires nonmetallic projectiles, or other device that is so substantially similar in coloration and overall appearance to a firearm, as defined in s. 790.001, Florida Statutes, as to lead a reasonable person to perceive that the device is a firearm. As provided in the federal regulations governing imitation firearms, the term does not include:

(a) A nonfiring collector's replica of an antique firearm developed prior to 1898; or

(b) A device for which a blaze orange solid plug or marking is permanently affixed to the muzzle end of the barrel for a depth of at least 6 millimeters; a device for which the entire exterior surface is colored white, bright red, bright orange, bright yellow, bright green, bright blue, bright pink, or bright purple, either singly or as the predominant color in combination with other colors in any pattern; or a device that is constructed of transparent or translucent materials that

1 permit unmistakable observation of the complete contents of
2 the device.

3 (2) A person may not sell, by mail or in any other
4 manner, an imitation firearm to a minor.

5 (3) A person who violates subsection (2) commits a
6 felony of the third degree, punishable as provided in s.
7 775.082 or s. 775.083, Florida Statutes.

8 Section 2. This act shall take effect October 1, 2006.

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11 SENATE SUMMARY

12 Defines the term "imitation firearm." Prohibits the sale
13 of an imitation firearm to a minor. Provides a penalty.

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