Florida Senate - 2006

By Senator Siplin

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19-206-06
 1
                        A bill to be entitled
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           An act relating to weapons; creating s.
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           790.223, F.S.; defining the term "stun gun";
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           prohibiting the manufacture, display, sale,
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           repair, or possession of a stun qun; providing
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           criminal penalties; providing exceptions;
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           providing an effective date.
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   Be It Enacted by the Legislature of the State of Florida:
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           Section 1. Section 790.223, Florida Statutes, is
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    created to read:
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           790.223 Stun gun unlawful to manufacture, sell,
    repair, or possess; penalty.--
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          (1) "Stun gun" as used in this section means any item,
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    including a Taser, used or intended to be used as an offensive
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    or defensive weapon capable of temporarily immobilizing a
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   person by inflicting an electrical charge.
          (2) A person may not manufacture, display, sell,
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    repair, own, possess, or use a stun gun.
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          (3)(a) Any person who manufactures, displays, sells,
    offers for sale, repairs, or delivers any stun gun commits a
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   misdemeanor of the first degree, punishable as provided in s.
    775.082 or s. 775.083.
2.4
          (b) Any person who possesses a stun qun commits a
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   misdemeanor of the first degree, punishable as provided in s.
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    775.082 or s. 775.083.
2.8
          (c) Any person who possesses with intent to use a stun
   gun in the commission of a criminal act commits a felony of
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    the third degree, punishable as provided in s. 775.082, s.
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    775.083, or s. 775.084.
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CODING: Words stricken are deletions; words underlined are additions.

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(4) This section does not apply to: (a) The possession of any item described in subsection (1) by any law enforcement agency or by any law enforcement officer, when possessed in connection with the performance of his or her duty as a law enforcement officer. (b) The manufacture or repair of items described in subsection (1) exclusively for sale or delivery to law enforcement agencies. (c) The sale, repair, or delivery of items described in subsection (1) to law enforcement agencies. Section 2. This act shall take effect October 1, 2006. SENATE SUMMARY Prohibits the manufacture, display, sale, or possession of a stun gun. Provides criminal penalties.

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