

1 252.31-252.90 shall be construed to authorize the seizure,
2 taking, or confiscation of firearms that are lawfully
3 possessed, unless a person is engaged in the commission of a
4 criminal act.

5 Section 2. Section 870.044, Florida Statutes, is
6 amended to read:

7 870.044 Automatic emergency measures.--Whenever the
8 public official declares that a state of emergency exists,
9 pursuant to s. 870.043, the following acts shall be prohibited
10 during the period of said emergency throughout the
11 jurisdiction:

12 (1) The sale of, or offer to sell, with or without
13 consideration, any ammunition or gun or other firearm of any
14 size or description.

15 (2) The intentional display, after the emergency is
16 declared, by or in any store or shop of any ammunition or gun
17 or other firearm of any size or description.

18 (3) The intentional possession in a public place of a
19 firearm by any person, except a duly authorized law
20 enforcement official or person in military service acting in
21 the official performance of her or his duty.

22
23 Nothing contained in this chapter shall be construed to
24 authorize the seizure, taking, or confiscation of firearms
25 that are lawfully possessed, unless a person is engaged in a
26 criminal act.

27 Section 3. For the purpose of incorporating the
28 amendment made by this act to section 252.36, Florida
29 Statutes, in a reference thereto, paragraph (a) of subsection
30 (3) of section 377.703, Florida Statutes, is reenacted to
31 read:

1 377.703 Additional functions of the Department of
2 Environmental Protection; energy emergency contingency plan;
3 federal and state conservation programs.--

4 (3) DEPARTMENT OF ENVIRONMENTAL PROTECTION;
5 DUTIES.--The Department of Environmental Protection shall, in
6 addition to assuming the duties and responsibilities provided
7 by ss. 20.255 and 377.701, perform the following functions
8 consistent with the development of a state energy policy:

9 (a) The department shall assume the responsibility for
10 development of an energy emergency contingency plan to respond
11 to serious shortages of primary and secondary energy sources.
12 Upon a finding by the Governor, implementation of any
13 emergency program shall be upon order of the Governor that a
14 particular kind or type of fuel is, or that the occurrence of
15 an event which is reasonably expected within 30 days will make
16 the fuel, in short supply. The department shall then respond
17 by instituting the appropriate measures of the contingency
18 plan to meet the given emergency or energy shortage. The
19 Governor may utilize the provisions of s. 252.36(5) to carry
20 out any emergency actions required by a serious shortage of
21 energy sources.

22 Section 4. This act shall take effect upon becoming a
23 law.

24
25 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
26 COMMITTEE SUBSTITUTE FOR
27 Senate Bill 568

28 The CS clarifies that under circumstances where a person is in
29 possession of a firearm and is committing a criminal act, the
30 provisions of the bill do not apply.
31