By Senator Wilson

33-1212-07

| 1 | A bill to be entitled |
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| 2 | An act relating to firearms; creating s. |
| 3 | 790.222, F.S.; defining the term "semiautomatic |
| 4 | assault firearm"; prohibiting the manufacture, |
| 5 | transfer, or possession of a semiautomatic |
| 6 | assault firearm; providing exceptions; |
| 7 | providing an effective date. |
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| 9 | Be It Enacted by the Legislature of the State of Florida: |
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| 11 | Section 1. Section 790.222, Florida Statutes, is |
| 12 | created to read: |
| 13 | 790.222 Manufacture, transfer, or possession of a |
| 14 | semiautomatic assault firearm prohibited |
| 15 | (1)(a) As used in this section, the term |
| 16 | "semiautomatic assault firearm" means a firearm that is |
| 17 | capable of firing a series of rounds by separate successive |
| 18 | depressions of the trigger and that uses the energy of |
| 19 | discharge to perform a portion of the operating cycle. |
| 20 | (b) The term "semiautomatic assault firearm" does not |
| 21 | mean: |
| 22 | 1. A firearm that: |
| 23 | a. Is manually operated by bolt, pump, lever, or slide |
| 24 | action; |
| 25 | b. Has been rendered permanently inoperable; or |
| 26 | c. Is an antique firearm. |
| 27 | 2. A semiautomatic rifle that cannot accept a |
| 28 | detachable magazine that holds more than five rounds of |
| 29 | ammunition; or |
| 30 | 3. A semiautomatic shotqun that cannot hold more than |
| 31 | five rounds of ammunition in a fixed or detachable magazine. |

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| 1 | (2) A person may not manufacture, transfer, or have in |
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| 2 | his or her care, custody, possession, or control a |
| 3 | semiautomatic assault firearm in this state. |
| 4 | (3) Subsection (2) does not apply to the possession or |
| 5 | transfer of a semiautomatic assault firearm otherwise lawfully |
| 6 | possessed under state or federal law on the effective date of |
| 7 | this act. |
| 8 | (4) Subsection (2) does not apply to: |
| 9 | (a) The manufacture for, transfer to, or possession of |
| 10 | a semiautomatic assault firearm by a department or agency of |
| 11 | the United States; by a department, agency, or political |
| 12 | subdivision of a state; or by a law enforcement officer |
| 13 | employed by such an entity for purposes of law enforcement, |
| 14 | whether on or off duty; |
| 15 | (b) The transfer of a semiautomatic assault firearm to |
| 16 | a licensee under Title I of the Atomic Energy Act of 1954 for |
| 17 | purposes of establishing and maintaining an on-site physical |
| 18 | protection system and security organization required by |
| 19 | federal law, or possession by an employee or contractor of the |
| 20 | licensee on site for such purposes or off site for purposes of |
| 21 | licensee-authorized training or transportation of nuclear |
| 22 | <pre>materials;</pre> |
| 23 | (c) The possession, by a person who is retired from |
| 24 | service with a law enforcement agency and is not otherwise |
| 25 | prohibited from receiving a firearm, of a semiautomatic |
| 26 | assault weapon transferred to the person by the agency upon |
| 27 | the person's retirement; or |
| 28 | (d) The manufacture, transfer, or possession of a |
| 29 | semiautomatic assault weapon by a licensed manufacturer or |
| 30 | licensed importer for the purposes of testing or |

| 1 | experimentation authorized by the Attorney General of the |
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| 2 | United States. |
| 3 | Section 2. This act shall take effect upon becoming a |
| 4 | law. |
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| 7 | SENATE SUMMARY |
| 8 | Defines the term "semiautomatic assault firearm." |
| 9 | Prohibits the manufacture, transfer, or possession of a semiautomatic assault firearm. Provides exceptions. |
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