

By Senator Sachs

30-01599-11

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1                   A bill to be entitled  
2           An act relating to concealed weapons and firearms;  
3           amending s. 790.06, F.S.; increasing the penalty  
4           imposed for carrying a concealed weapon or firearm  
5           into certain prohibited places; reenacting s.  
6           790.115(2)(e), F.S., relating to the possession of  
7           weapons or firearms on school property, to incorporate  
8           the amendment to s. 790.06, F.S., in a reference  
9           thereto; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (12) of section 790.06, Florida  
14           Statutes, is amended to read:

15           790.06 License to carry concealed weapon or firearm.—

16           (12) No license issued pursuant to this section shall  
17           authorize any person to carry a concealed weapon or firearm into  
18           any place of nuisance as defined in s. 823.05; any police,  
19           sheriff, or highway patrol station; any detention facility,  
20           prison, or jail; any courthouse; any courtroom, except that  
21           nothing in this section would preclude a judge from carrying a  
22           concealed weapon or determining who will carry a concealed  
23           weapon in his or her courtroom; any polling place; any meeting  
24           of the governing body of a county, public school district,  
25           municipality, or special district; any meeting of the  
26           Legislature or a committee thereof; any school, college, or  
27           professional athletic event not related to firearms; any school  
28           administration building; any portion of an establishment  
29           licensed to dispense alcoholic beverages for consumption on the

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30 premises, which portion of the establishment is primarily  
31 devoted to such purpose; any elementary or secondary school  
32 facility; any career center; any college or university facility  
33 unless the licensee is a registered student, employee, or  
34 faculty member of such college or university and the weapon is a  
35 stun gun or nonlethal electric weapon or device designed solely  
36 for defensive purposes and the weapon does not fire a dart or  
37 projectile; inside the passenger terminal and sterile area of  
38 any airport, provided that no person shall be prohibited from  
39 carrying any legal firearm into the terminal, which firearm is  
40 encased for shipment for purposes of checking such firearm as  
41 baggage to be lawfully transported on any aircraft; or any place  
42 where the carrying of firearms is prohibited by federal law. Any  
43 person who willfully violates any provision of this subsection  
44 commits a felony of the third degree ~~misdemeanor of the second~~  
45 ~~degree~~, punishable as provided in s. 775.082 or s. 775.083.

46 Section 2. For the purpose of incorporating the amendment  
47 made by this act to section 790.06, Florida Statutes, in a  
48 reference thereto, paragraph (e) of subsection (2) of section  
49 790.115, Florida Statutes, is reenacted to read:

50 790.115 Possessing or discharging weapons or firearms at a  
51 school-sponsored event or on school property prohibited;  
52 penalties; exceptions.—

53 (2)

54 (e) The penalties of this subsection shall not apply to  
55 persons licensed under s. 790.06. Persons licensed under s.  
56 790.06 shall be punished as provided in s. 790.06(12), except  
57 that a licenseholder who unlawfully discharges a weapon or  
58 firearm on school property as prohibited by this subsection

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59 commits a felony of the second degree, punishable as provided in  
60 s. 775.082, s. 775.083, or s. 775.084.

61 Section 3. This act shall take effect October 1, 2011.