

By Senator Smith

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1 A bill to be entitled
2 An act relating to concealed weapons and firearms;
3 amending s. 790.33, F.S.; creating an exception to the
4 preemption of the regulation of firearms to the
5 Legislature to allow a state agency or local
6 government to prohibit the possession of a concealed
7 firearm in a publicly owned building during a sporting
8 event conducted in the building; providing an
9 effective date.

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

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13 Section 1. Subsection (4) of section 790.33, Florida
14 Statutes, is amended to read:

15 790.33 Field of regulation of firearms and ammunition
16 preempted.—

17 (4) EXCEPTIONS.—This section does not prohibit:

18 (a) Zoning ordinances that encompass firearms businesses
19 along with other businesses, except that zoning ordinances that
20 are designed for the purpose of restricting or prohibiting the
21 sale, purchase, transfer, or manufacture of firearms or
22 ammunition as a method of regulating firearms or ammunition are
23 in conflict with this subsection and are prohibited;

24 (b) A duly organized law enforcement agency from enacting
25 and enforcing regulations pertaining to firearms, ammunition, or
26 firearm accessories issued to or used by peace officers in the
27 course of their official duties;

28 (c) Except as provided in s. 790.251, any entity subject to
29 the prohibitions of this section from regulating or prohibiting

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30 the carrying of firearms and ammunition by an employee of the
31 entity during and in the course of the employee's official
32 duties;

33 (d) A court or administrative law judge from hearing and
34 resolving any case or controversy or issuing any opinion or
35 order on a matter within the jurisdiction of that court or
36 judge; ~~or~~

37 (e) The Florida Fish and Wildlife Conservation Commission
38 from regulating the use of firearms or ammunition as a method of
39 taking wildlife and regulating the shooting ranges managed by
40 the commission; ~~or~~

41 (f) A state agency or local government from prohibiting a
42 person licensed to carry a concealed weapon or firearm from
43 possessing a concealed firearm and ammunition in a publicly
44 owned building during a sporting event conducted in the
45 building.

46 Section 2. This act shall take effect July 1, 2012.