

ENROLLED

CS/HB 463, Engrossed 1

2012 Legislature

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 2 An act relating to weapons or firearms; creating s.
 3 790.062, F.S.; providing that otherwise qualified
 4 members and veterans of the United States Armed Forces
 5 be issued a concealed weapon or firearm license
 6 regardless of age in certain circumstances; providing
 7 additional methods for the taking of fingerprints from
 8 such license applicants; amending s. 790.015, F.S.;
 9 providing that members and veterans of the United
 10 States Armed Forces be granted reciprocity regardless
 11 of age; amending s. 790.15, F.S.; prohibiting reckless
 12 or negligent discharge of a firearm in certain
 13 locations; providing criminal penalties; providing an
 14 effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Section 790.062, Florida Statutes, is created
 19 to read:

20 790.062 Members and veterans of United States Armed
 21 Forces; exceptions from licensure provisions.—

22 (1) Notwithstanding s. 790.06(2)(b), the Department of
 23 Agriculture and Consumer Services shall issue a license to carry
 24 a concealed weapon or firearm under s. 790.06 if the applicant
 25 is otherwise qualified and:

26 (a) Is a servicemember, as defined in s. 250.01; or

27 (b) Is a veteran of the United States Armed Forces who was
 28 discharged under honorable conditions.

ENROLLED

CS/HB 463, Engrossed 1

2012 Legislature

29 (2) The Department of Agriculture and Consumer Services
 30 shall accept fingerprints of an applicant under this section
 31 administered by any law enforcement agency, military provost, or
 32 other military unit charged with law enforcement duties or as
 33 otherwise provided for in 790.06(5)(c).

34 Section 2. Section 790.015, Florida Statutes, is amended
 35 to read:

36 790.015 Nonresidents who are United States citizens and
 37 hold a concealed weapons license in another state; reciprocity.—

38 (1) Notwithstanding s. 790.01, ~~a resident of the United~~
 39 ~~States who is~~ a nonresident of Florida may carry a concealed
 40 weapon or concealed firearm while in this state if the
 41 nonresident:

42 (a) Is 21 years of age or older.~~;~~ ~~and~~

43 (b) Has in his or her immediate possession a valid license
 44 to carry a concealed weapon or concealed firearm issued to the
 45 nonresident in his or her state of residence.

46 (c) Is a resident of the United States.

47 (2) A nonresident is subject to the same laws and
 48 restrictions with respect to carrying a concealed weapon or
 49 concealed firearm as a resident of Florida who is so licensed.

50 (3) If the resident of another state who is the holder of
 51 a valid license to carry a concealed weapon or concealed firearm
 52 issued in another state establishes legal residence in this
 53 state by:

54 (a) Registering to vote; ~~or~~

55 (b) Making a statement of domicile pursuant to s. 222.17; ~~or~~

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ENROLLED

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2012 Legislature

57 (c) Filing for homestead tax exemption on property in this
 58 state,

59
 60 the license shall remain in effect for 90 days following the
 61 date on which the holder of the license establishes legal state
 62 residence.

63 (4) This section applies only to nonresident concealed
 64 weapon or concealed firearm licenseholders from states that
 65 honor Florida concealed weapon or concealed firearm licenses.

66 (5) The requirement of paragraph (1)(a) does not apply to
 67 a person who:

68 (a) Is a servicemember, as defined in s. 250.01; or

69 (b) Is a veteran of the United States Armed Forces who was
 70 discharged under honorable conditions.

71 Section 3. Subsection (1) of section 790.15, Florida
 72 Statutes, is amended to read

73 790.15 Discharging firearm in public or on residential
 74 property.—

75 (1) Except as provided in subsection (2) or subsection
 76 (3), any person who knowingly discharges a firearm in any public
 77 place or on the right-of-way of any paved public road, highway,
 78 or street, who ~~or whosoever~~ knowingly discharges any firearm
 79 over the right-of-way of any paved public road, highway, or
 80 street or over any occupied premises, or who recklessly or
 81 negligently discharges a firearm outdoors on any property used
 82 primarily as the site of a dwelling as defined in s. 776.013 or
 83 zoned exclusively for residential use commits ~~is guilty of a~~
 84 misdemeanor of the first degree, punishable as provided in s.

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85 | 775.082 or s. 775.083. This section does not apply to a person
86 | lawfully defending life or property or performing official
87 | duties requiring the discharge of a firearm or to a person
88 | discharging a firearm on public roads or properties expressly
89 | approved for hunting by the Fish and Wildlife Conservation
90 | Commission or Division of Forestry.

91 | Section 4. This act shall take effect upon becoming a law.