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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

03/01/2012 11:36 AM

Senator Evers moved the following:

Senate Amendment (with title amendment)

Between lines 68 and 69

insert:

Section 3. Section 790.15, Florida Statutes, is amended to read

790.15 Discharging firearm in public or on residential property.—

(1) Except as provided in subsection (2) or subsection (3), any person who knowingly discharges a firearm in any public place or on the right-of-way of any paved public road, highway, or street or whosoever knowingly discharges any firearm over the right-of-way of any paved public road, highway, or street or



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14 over any occupied premises or who recklessly or negligently
15 discharges a firearm outdoors on any property used primarily as
16 the site of a dwelling as defined in s. 776.013 or zoned
17 exclusively for residential use is guilty of a misdemeanor of
18 the first degree, punishable as provided in s. 775.082 or s.
19 775.083. This section does not apply to a person lawfully
20 defending life or property or performing official duties
21 requiring the discharge of a firearm or to a person discharging
22 a firearm on public roads or properties expressly approved for
23 hunting by the Fish and Wildlife Conservation Commission or
24 Division of Forestry.

25 (2) Any occupant of any vehicle who knowingly and willfully
26 discharges any firearm from the vehicle within 1,000 feet of any
27 person commits a felony of the second degree, punishable as
28 provided in s. 775.082, s. 775.083, or s. 775.084.

29 (3) Any driver or owner of any vehicle, whether or not the
30 owner of the vehicle is occupying the vehicle, who knowingly
31 directs any other person to discharge any firearm from the
32 vehicle commits a felony of the third degree, punishable as
33 provided in s. 775.082, s. 775.083, or s. 775.084.

34
35 ===== T I T L E A M E N D M E N T =====

36 And the title is amended as follows:

37 Delete line 12

38 and insert:

39 regardless of age; amending s. 790.15, F.S.;

40 prohibiting reckless or negligent discharge of a

41 firearm in certain locations; providing an effective

42 date.