

By Senator Gibson

9-00411B-13

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1 A bill to be entitled

2 An act relating to firearms; amending s. 790.0655,
3 F.S.; requiring a 3-day waiting period for the sale of
4 any firearm; providing exceptions; providing
5 penalties; creating s. 790.06551, F.S.; prohibiting
6 the sale of ammunition to a person who has not
7 completed an anger-management program; requiring
8 certification of completion of an anger-management
9 program to be renewed every 10 years; providing
10 minimum program requirements; prohibiting the purchase
11 of ammunition by fraudulent means; providing criminal
12 penalties; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Section 790.0655, Florida Statutes, is amended
17 to read:

18 790.0655 Purchase and delivery of firearms ~~handguns~~;
19 mandatory waiting period; exceptions; penalties.-

20 (1) (a) There shall be a mandatory 3-day waiting period,
21 which shall be 3 days, excluding weekends and legal holidays,
22 between the purchase and the delivery at retail of any firearm,
23 as defined in s. 790.001 ~~handgun~~. "Purchase" means the transfer
24 of money or other valuable consideration to the retailer.
25 ~~"Handgun" means a firearm capable of being carried and used by~~
26 ~~one hand, such as a pistol or revolver.~~ "Retailer" means and
27 includes every person engaged in the business of making sales at
28 retail or for distribution, or use, or consumption, or storage
29 to be used or consumed in this state, as defined in s.

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30 212.02(13).

31 (b) Records of firearm ~~handgun~~ sales must be available for
32 inspection by any law enforcement agency, as defined in s.
33 934.02, during normal business hours.

34 (2) The 3-day waiting period does ~~shall~~ not apply in the
35 following circumstances:

36 (a) When a firearm ~~handgun~~ is being purchased by a holder
37 of a concealed weapons permit as defined in s. 790.06.

38 (b) To a trade-in of another firearm ~~handgun~~.

39 (3) It is a felony of the third degree, punishable as
40 provided in s. 775.082, s. 775.083, or s. 775.084:

41 (a) For any retailer, or any employee or agent of a
42 retailer, to deliver a firearm ~~handgun~~ before the expiration of
43 the 3-day waiting period, subject to the exceptions provided in
44 subsection (2).

45 (b) For a purchaser to obtain delivery of a firearm ~~handgun~~
46 by fraud, false pretense, or false representation.

47 Section 2. Section 790.06551, Florida Statutes, is created
48 to read:

49 790.06551 Sale of ammunition; mandatory anger-management
50 program; penalties.-

51 (1) It is unlawful to:

52 (a) Sell ammunition to another person who does not present
53 certification that he or she has successfully completed an
54 anger-management program consisting of at least 2 hours of
55 online or face-to-face instruction in anger-management
56 techniques. The certification must be renewed every 10 years.

57 (b) Purchase or otherwise obtain ammunition by fraud, false
58 pretense, or false representation.

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59 (2) A person who violates this section commits a
60 misdemeanor of the second degree, punishable as provided in s.
61 775.082 or s. 775.083. A person who violates this section a
62 second or subsequent time within 1 year after a prior conviction
63 commits a misdemeanor of the first degree, punishable as
64 provided in s. 775.082 or s. 775.083.

65 Section 3. This act shall take effect July 1, 2013.