



615304

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/01/2014	.	
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The Committee on Military and Veterans Affairs, Space, and Domestic Security (Evers) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 790.01, Florida Statutes, is amended to  
read:

790.01 Unlicensed carrying of concealed weapons or  
concealed firearms.—

(1) Except as provided in subsection (3) ~~(4)~~, a person who  
is not licensed under s. 790.06 and who carries a concealed



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11 weapon or electric weapon or device on or about his or her  
12 person commits a misdemeanor of the first degree, punishable as  
13 provided in s. 775.082 or s. 775.083.

14 (2) Except as provided in subsection (3), a person who is  
15 not licensed under s. 790.06 and who carries a concealed firearm  
16 on or about his or her person commits a felony of the third  
17 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
18 775.084.

19 (3) This section does not apply to: ~~a person licensed to~~  
20 ~~carry a concealed weapon or a concealed firearm pursuant to the~~  
21 ~~provisions of s. 790.06.~~

22 (a) A person who carries a concealed weapon, or a person  
23 who may lawfully possess a firearm and who carries a concealed  
24 firearm, on or about his or her person while in the act of  
25 complying with a mandatory evacuation order issued during a  
26 state of emergency declared by the Governor pursuant to chapter  
27 252 or declared by a local authority pursuant to chapter 870.

28 ~~(b)(4) It is not a violation of this section for~~ A person  
29 who carries ~~to carry~~ for purposes of lawful self-defense, in a  
30 concealed manner:

31 1.(a) A self-defense chemical spray.

32 2.(b) A nonlethal stun gun or dart-firing stun gun or other  
33 nonlethal electric weapon or device that is designed solely for  
34 defensive purposes.

35 ~~(4)(5)~~ This section does not preclude any prosecution for  
36 the use of an electric weapon or device, a dart-firing stun gun,  
37 or a self-defense chemical spray during the commission of any  
38 criminal offense under s. 790.07, s. 790.10, s. 790.23, or s.  
39 790.235, or for any other criminal offense.



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40           Section 2. This act shall take effect July 1, 2014.

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42 ===== T I T L E   A M E N D M E N T =====

43 And the title is amended as follows:

44           Delete everything before the enacting clause  
45 and insert:

46                           A bill to be entitled  
47           An act relating to carrying a concealed weapon or a  
48           concealed firearm; amending s. 790.01, F.S.; providing  
49           an exemption from criminal penalties for carrying a  
50           concealed weapon or a concealed firearm while in the  
51           act of complying with a mandatory evacuation order  
52           during a declared state of emergency; providing an  
53           effective date.