

**By** the Committees on Appropriations; and Agriculture; and Senators Simpson, Latvala, Bean, Benacquisto, Hays, Brandes, Bradley, Negron, Dean, Evers, Stargel, Galvano, Diaz de la Portilla, Grimsley, and Thrasher

576-04201-14

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1                                   A bill to be entitled  
2           An act relating to licensure to carry a concealed  
3           weapon or firearm; amending s. 790.06, F.S.;  
4           authorizing an applicant for a license to carry a  
5           concealed weapon or firearm to submit the application  
6           to an appointed tax collector; creating s. 790.0625,  
7           F.S.; defining terms; authorizing the Department of  
8           Agriculture and Consumer Services to appoint tax  
9           collectors to accept applications for new or renewal  
10          licenses to carry a concealed weapon or firearm on  
11          behalf of the Division of Licensing of the Department  
12          of Agriculture and Consumer Services; requiring a tax  
13          collector seeking appointment to submit a written  
14          request to the division; providing requirements for  
15          the request; requiring the division and an appointed  
16          tax collector to enter into a memorandum of  
17          understanding; authorizing the department or the  
18          division to rescind a memorandum of understanding at  
19          any time; providing that certain personal identifying  
20          information of applicants for licensure is  
21          confidential and exempt; establishing license fees for  
22          new and renewal applications; requiring an appointed  
23          tax collector to remit fees to the department;  
24          prohibiting a tax collector from maintaining a list or  
25          record of concealed weapon or firearm licensees or  
26          applicants; prohibiting a person from processing a  
27          concealed weapon or firearm application for a fee or  
28          compensation unless he or she has been appointed by  
29          the department to do so; providing for criminal

576-04201-14

2014544c2

30 penalties; providing an appropriation; authorizing a  
31 specified number of full-time equivalent positions  
32 with associated salary rate within the department;  
33 providing an effective date.  
34

35 Be It Enacted by the Legislature of the State of Florida:  
36

37 Section 1. Subsection (5) of section 790.06, Florida  
38 Statutes, is amended to read:

39 790.06 License to carry concealed weapon or firearm.—

40 (5) The applicant shall submit to the Department of  
41 Agriculture and Consumer Services or an approved tax collector  
42 pursuant to s. 790.0625:

43 (a) A completed application as described in subsection (4).

44 (b) A nonrefundable license fee of up to ~~not to exceed~~ \$70, if  
45 he or she has not previously been issued a statewide license, ~~or~~  
46 of up to a nonrefundable license fee not to exceed \$60 for renewal  
47 of a statewide license. The cost of ~~Costs for~~ processing ~~the set~~  
48 ~~of~~ fingerprints as required in paragraph (c) is ~~shall be~~ borne  
49 by the applicant. However, an individual holding an active  
50 certification from the Criminal Justice Standards and Training  
51 Commission as a "law enforcement officer," "correctional  
52 officer," or "correctional probation officer" as defined in s.  
53 943.10(1), (2), (3), (6), (7), (8), or (9) is exempt from the  
54 licensing requirements of this section. If such ~~any~~ individual  
55 ~~holding an active certification from the Criminal Justice~~  
56 ~~Standards and Training Commission as a "law enforcement~~  
57 ~~officer," a "correctional officer," or a "correctional probation~~  
58 ~~officer" as defined in s. 943.10(1), (2), (3), (6), (7), (8), or~~

576-04201-14

2014544c2

59 ~~(9)~~ wishes to receive a concealed weapons or firearms license,  
60 he or she ~~such person~~ is exempt from the background  
61 investigation and all background investigation fees, but must  
62 ~~shall~~ pay the current license fees regularly required to be paid  
63 by nonexempt applicants. Further, a law enforcement officer, a  
64 correctional officer, or a correctional probation officer as  
65 defined in s. 943.10(1), (2), or (3) is exempt from the required  
66 fees and background investigation for a period of 1 year after  
67 his or her ~~subsequent to the date of retirement of said officer~~  
68 ~~as a law enforcement officer, a correctional officer, or a~~  
69 ~~correctional probation officer.~~

70 (c) A full set of fingerprints of the applicant  
71 administered by a law enforcement agency or the Division of  
72 Licensing of the Department of Agriculture and Consumer Services  
73 or an approved tax collector pursuant to s. 790.0625.

74 (d) A photocopy of a certificate, or an affidavit, or  
75 document as described in paragraph (2)(h).

76 (e) A full frontal view color photograph of the applicant  
77 taken within the preceding 30 days, in which the head, including  
78 hair, measures 7/8 of an inch wide and 1 1/8 inches high.

79 Section 2. Section 790.0625, Florida Statutes, is created  
80 to read:

81 790.0625 Appointment of tax collectors to accept  
82 applications for a concealed weapon or firearm license; fees;  
83 penalties.-

84 (1) As used in this section, the term:

85 (a) "Department" means the Department of Agriculture and  
86 Consumer Services.

87 (b) "Division" means the Division of Licensing of the

576-04201-14

2014544c2

88 Department of Agriculture and Consumer Services.

89 (2) The department, at its discretion, may appoint tax  
90 collectors, as defined in s. 1(d) of Art. VIII of the State  
91 Constitution, to accept applications on behalf of the division  
92 for concealed weapon or firearm licenses. Such appointment shall  
93 be for specified locations that will best serve the public  
94 interest and convenience in applying for these licenses.

95 (3) A tax collector seeking to be appointed to accept  
96 applications for new or renewal concealed weapon or firearm  
97 licenses must submit a written request to the division stating  
98 his or her name, address, telephone number, each location within  
99 the county at which the tax collector wishes to accept  
100 applications, and other information as required by the division.

101 (a) Upon receipt of a written request, the division shall  
102 review it and at its discretion may decline to enter into a  
103 memorandum of understanding or, if approved, enter into a  
104 memorandum of understanding with the tax collector to accept  
105 applications for new or renewal concealed weapon or firearm  
106 licenses on behalf of the department.

107 (b) The department or the division may rescind a memorandum  
108 of understanding for any reason at any time.

109 (4) All personal identifying information that is provided  
110 pursuant to s. 790.06 and contained in the records of a tax  
111 collector appointed under this section is confidential and  
112 exempt as provided in s. 790.0601.

113 (5) A tax collector appointed under this section may  
114 collect and retain a convenience fee of \$22 for each new  
115 application and \$12 for each renewal and shall remit weekly to  
116 the department the license fees for deposit in the Division of

576-04201-14

2014544c2

117 Licensing Trust Fund.

118 (6) (a) A tax collector appointed under this section may not  
119 maintain a list or record of persons who apply for or are  
120 granted a new or renewal license to carry a concealed weapon or  
121 firearm. A violation of this paragraph is subject to s. 790.335.

122 (b) A person may not handle an application for a concealed  
123 weapon or firearm for a fee or compensation of any kind unless  
124 he or she has been appointed by the department to do so.

125 (7) A person who willfully violates this section commits a  
126 misdemeanor of the second degree, punishable as provided in s.  
127 775.082 or s. 775.083.

128 Section 3. For the 2014-2015 fiscal year, there is  
129 appropriated to the Department of Agriculture and Consumer  
130 Services the sums of \$736,608 in recurring and \$105,503 in  
131 nonrecurring funds from the Division of Licensing Trust Fund,  
132 and 11 full-time equivalent positions with associated salary  
133 rate of 295,751 are authorized for the purpose of implementing  
134 this act.

135 Section 4. This act shall take effect July 1, 2014.