

By the Committees on Community Affairs; and Criminal Justice;
and Senator Richter

578-00732-16

2016130c2

1 A bill to be entitled

2 An act relating to discharging a firearm; amending s.
3 790.15, F.S.; prohibiting the recreational discharge
4 of a firearm in certain residential areas; providing
5 criminal penalties; providing exceptions; providing an
6 effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsection (4) is added to section 790.15,
11 Florida Statutes, to read:

12 790.15 Discharging firearm in public or on residential
13 property.—

14 (4) Any person who recreationally discharges a firearm
15 outdoors, including for target shooting or celebratory shooting,
16 in an area that the person knows or reasonably should know is
17 primarily residential in nature and that has a residential
18 density of one or more dwelling units per acre, commits a
19 misdemeanor of the first degree, punishable as provided in s.
20 775.082 or s. 775.083. This subsection does not apply:

21 (a) To a person lawfully defending life or property or
22 performing official duties requiring the discharge of a firearm;

23 (b) If, under the circumstances, the discharge does not
24 pose a reasonably foreseeable risk to life, safety, or property;
25 or

26 (c) To a person who accidentally discharges a firearm.

27 Section 2. This act shall take effect upon becoming a law.