



758516

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/28/2017	.	
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	.	

The Committee on Judiciary (Steube) recommended the following:

1 **Senate Substitute for Amendment (112386) (with title**
2 **amendment)**

3
4 Delete lines 47 - 82

5 and insert:

6 (3) A ~~Any~~ person who violates ~~violating~~ this section:

7 (a)°For a first violation, commits a noncriminal violation
8 with a penalty of \$25, payable to the clerk of the court.

9 (b) For a second violation, commits a noncriminal violation
10 with a penalty of \$500, payable to the clerk of court.

11 (c) For a third or subsequent violation, commits a



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12 misdemeanor of the second degree, punishable as provided in s.
13 775.082 or s. 775.083.

14 Section 2. Subsections (1) and (12) of section 790.06,
15 Florida Statutes, are amended to read:

16 790.06 License to carry concealed weapon or firearm.—

17 (1) The Department of Agriculture and Consumer Services is
18 authorized to issue licenses to carry concealed weapons or
19 concealed firearms to persons qualified as provided in this
20 section. Each such license must bear a color photograph of the
21 licensee. For the purposes of this section, concealed weapons or
22 concealed firearms are defined as a handgun, electronic weapon
23 or device, tear gas gun, knife, or billie, but the term does not
24 include a machine gun as defined in s. 790.001(9). Such licenses
25 shall be valid throughout the state for a period of 7 years from
26 the date of issuance. Any person in compliance with the terms of
27 such license may carry a concealed weapon or concealed firearm
28 notwithstanding the provisions of s. 790.01. The licensee must
29 carry the license, together with valid identification, at all
30 times in which the licensee is in actual possession of a
31 concealed weapon or firearm and must display both the license
32 and proper identification upon demand by a law enforcement
33 officer. A person licensed to carry a concealed firearm under
34 this section whose firearm is temporarily or inadvertently
35 displayed to the ordinary sight of another person does not
36 violate s. 790.053 and may not be arrested or charged with a
37 crime. Violations of the provisions of this subsection shall
38 constitute a noncriminal violation with a penalty of \$25,
39 payable to the clerk of the court. Notwithstanding any other
40 provision of this section, an elected constitutional officer



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41 identified in Art. III or Art. IV of the State Constitution who
42 is licensed to carry a concealed weapon or firearm and who does
43 not have full-time security provided by the Department of Law
44 Enforcement may carry a concealed weapon or firearm anywhere
45 they are not prohibited by federal law.
46
47

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

49 And the title is amended as follows:

50 Delete lines 5 - 16

51 and insert:

52 or firearm; revising the penalty for a violation of
53 specified provisions relating to openly carrying
54 weapons; making a fine payable to the clerk of the
55 court; amending s. 790.06, F.S.; providing that a
56 person licensed to carry a concealed weapon or firearm
57 who is lawfully carrying a firearm does not violate
58 certain provisions if the firearm is briefly or
59 inadvertently displayed; authorizing certain elected
60 constitutional officers to carry a concealed weapon or
61 firearm if he or she is licensed to carry a concealed
62 weapon or firearm and does not have full-time security
63 provided by the Department of Law Enforcement;