



405836

LEGISLATIVE ACTION

Senate

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House

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Senator Farmer moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 790.174, Florida Statutes, is amended to  
read:

790.174 Safe storage of firearms required.-

(1) As used in this section, the term "minor" means a  
person younger than 16 years of age.

(2)~~(1)~~ A person who stores or leaves, on a premise under  
his or her control, a loaded firearm, as defined in s. 790.001,



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12 and who knows or reasonably should know that a minor is likely  
13 to gain access to the firearm without the lawful permission of  
14 the minor's parent or the person having charge of the minor, or  
15 without the supervision required by law, shall keep the firearm  
16 in a securely locked box or container ~~or in a location which a~~  
17 ~~reasonable person would believe to be secure~~ or shall secure it  
18 with a trigger lock, ~~except when the person is carrying the~~  
19 ~~firearm on his or her body or within such close proximity~~  
20 ~~thereto that he or she can retrieve and use it as easily and~~  
21 ~~quickly as if he or she carried it on his or her body.~~

22 (3)(2) It is A person who violates subsection (2) commits a  
23 misdemeanor of the second degree, punishable as provided in s.  
24 775.082 or s. 775.083, ~~if a person violates subsection (1) by~~  
25 ~~failing to store or leave a firearm in the required manner and~~  
26 ~~as a result thereof a minor gains access to the firearm, without~~  
27 ~~the lawful permission of the minor's parent or the person having~~  
28 ~~charge of the minor, and possesses or exhibits it, without the~~  
29 ~~supervision required by law:~~

30 ~~(a) In a public place; or~~

31 ~~(b) In a rude, careless, angry, or threatening manner in~~  
32 ~~violation of s. 790.10.~~

33  
34 ~~This subsection does not apply if the minor obtains the firearm~~  
35 ~~as a result of an unlawful entry by any person.~~

36 ~~(3) As used in this act, the term "minor" means any person~~  
37 ~~under the age of 16.~~

38 Section 2. For the purpose of incorporating the amendment  
39 made by this act to section 790.174, Florida Statutes, in a  
40 reference thereto, paragraph (f) of subsection (5) of section



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41 409.175, Florida Statutes, is reenacted to read:

42 409.175 Licensure of family foster homes, residential  
43 child-caring agencies, and child-placing agencies; public  
44 records exemption.-

45 (5)

46 (f) The department's rules shall include adoption of a form  
47 to be used by child-placing agencies during an adoption home  
48 study that requires all prospective adoptive applicants to  
49 acknowledge in writing the receipt of a document containing  
50 solely and exclusively the language provided for in s. 790.174  
51 verbatim.

52 Section 3. This act shall take effect July 1, 2018.

53

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

55 And the title is amended as follows:

56 Delete everything before the enacting clause  
57 and insert:

58 A bill to be entitled  
59 An act relating to the safe storage of loaded  
60 firearms; amending s. 790.174, F.S.; making technical  
61 changes; revising the requirement that a loaded  
62 firearm be secured in a locked box or container or be  
63 secured with a trigger lock; deleting conditions that  
64 pertain to the crime of failing to safely store,  
65 leave, or secure a loaded firearm in a specified  
66 manner; reenacting s. 409.175(5)(f), F.S., relating to  
67 rules of the Department of Children and Families  
68 requiring the adoption of a form used by child-placing  
69 agencies, to incorporate the amendment made to s.



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790.174, F.S., in a reference thereto; providing an  
effective date.