



134252

LEGISLATIVE ACTION

Senate

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House

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Floor: NC/2R

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03/03/2018 06:06 PM

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Senator Farmer moved the following:

**Senate Amendment (with title amendment)**

Delete lines 357 - 360

and insert:

Section 7. Present subsection (13) of section 790.065, Florida Statutes, is redesignated as subsection (14), a new subsection (13) is added to that section, and subsection (1) of that section is amended, to read:

790.065 Sale and delivery of firearms.—

(1) (a) A licensed importer, licensed manufacturer, or licensed dealer may not sell or deliver from her or his



134252

12 inventory at her or his licensed premises any firearm to another  
13 person, other than a licensed importer, licensed manufacturer,  
14 licensed dealer, or licensed collector, until she or he has:

15 1. Obtained a completed form from the potential buyer or  
16 transferee, which form shall have been promulgated by the  
17 Department of Law Enforcement and provided by the licensed  
18 importer, licensed manufacturer, or licensed dealer, which shall  
19 include the name, date of birth, gender, race, and social  
20 security number or other identification number of such potential  
21 buyer or transferee and has inspected proper identification  
22 including an identification containing a photograph of the  
23 potential buyer or transferee.

24 2. Collected a fee from the potential buyer for processing  
25 the criminal history check of the potential buyer. The fee shall  
26 be established by the Department of Law Enforcement and may not  
27 exceed \$8 per transaction. The Department of Law Enforcement may  
28 reduce, or suspend collection of, the fee to reflect payment  
29 received from the Federal Government applied to the cost of  
30 maintaining the criminal history check system established by  
31 this section as a means of facilitating or supplementing the  
32 National Instant Criminal Background Check System. The  
33 Department of Law Enforcement shall, by rule, establish  
34 procedures for the fees to be transmitted by the licensee to the  
35 Department of Law Enforcement. All such fees shall be deposited  
36 into the Department of Law Enforcement Operating Trust Fund, but  
37 shall be segregated from all other funds deposited into such  
38 trust fund and must be accounted for separately. Such segregated  
39 funds must not be used for any purpose other than the operation  
40 of the criminal history checks required by this section. The



134252

41 Department of Law Enforcement, each year prior to February 1,  
42 shall make a full accounting of all receipts and expenditures of  
43 such funds to the President of the Senate, the Speaker of the  
44 House of Representatives, the majority and minority leaders of  
45 each house of the Legislature, and the chairs of the  
46 appropriations committees of each house of the Legislature. In  
47 the event that the cumulative amount of funds collected exceeds  
48 the cumulative amount of expenditures by more than \$2.5 million,  
49 excess funds may be used for the purpose of purchasing soft body  
50 armor for law enforcement officers.

51 3. Requested, by means of a toll-free telephone call, the  
52 Department of Law Enforcement to conduct a check of the  
53 information as reported and reflected in the Florida Crime  
54 Information Center and National Crime Information Center systems  
55 as of the date of the request.

56 4. Received a unique approval number for that inquiry from  
57 the Department of Law Enforcement, and recorded the date and  
58 such number on the consent form.

59 (b) However, if the person purchasing, or receiving  
60 delivery of, the firearm ~~is a holder of a valid concealed~~  
61 ~~weapons or firearms license pursuant to the provisions of s.~~  
62 ~~790.06 or~~ holds an active certification from the Criminal  
63 Justice Standards and Training Commission as a "law enforcement  
64 officer," a "correctional officer," or a "correctional probation  
65 officer" as defined in s. 943.10(1), (2), (3), (6), (7), (8), or  
66 (9), this subsection does not apply.

67 (c) This subsection does not apply to the purchase, trade,  
68 or transfer of a rifle or shotgun by a resident of this state  
69 when the resident makes such purchase, trade, or transfer from a



134252

70 licensed importer, licensed manufacturer, or licensed dealer in  
71 another state.

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

74 And the title is amended as follows:

75 Delete line 44

76 and insert:

77 s. 790.065, F.S.; revising the applicability of  
78 certain requirements imposed on licensed importers,  
79 licensed manufacturers, or licensed dealers;  
80 prohibiting a person younger than a