



335906

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/26/2018	.	
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	.	

The Committee on Rules (Rodriguez) recommended the following:

1 **Senate Amendment to Amendment (345360) (with title**
2 **amendment)**

3
4 Between lines 209 and 210

5 insert:

6 Section 8. Section 790.174, Florida Statutes, is amended to
7 read:

8 790.174 Safe storage of firearms required.-

9 (1) As used in this section, the term "minor" means a
10 person younger than 18 years of age.

11 (2)~~(1)~~ A person who stores or leaves, on a premise under



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12 his or her control, a loaded firearm, as defined in s. 790.001,
13 and who knows or reasonably should know that a minor is likely
14 to gain access to the firearm without the lawful permission of
15 the minor's parent or the person having charge of the minor, or
16 without the supervision required by law, shall keep the firearm
17 in a securely locked box or container ~~or in a location which a~~
18 ~~reasonable person would believe to be secure~~ or shall secure it
19 with a trigger lock, ~~except when the person is carrying the~~
20 ~~firearm on his or her body or within such close proximity~~
21 ~~thereto that he or she can retrieve and use it as easily and~~
22 ~~quickly as if he or she carried it on his or her body.~~

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

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

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

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

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

39 Section 9. For the purpose of incorporating the amendment
40 made by this act to section 790.174, Florida Statutes, in a



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41 reference thereto, paragraph (f) of subsection (5) of section
42 409.175, Florida Statutes, is reenacted to read:

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

46 (5)

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

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 Between lines 1761 and 1762

57 insert:

58 amending s. 790.174, F.S.; redefining the term
59 "minor"; requiring that, in specified circumstances, a
60 loaded firearm be kept in a securely locked box or
61 container or be secured with a trigger lock; deleting
62 conditions that pertain to the crime of failing to
63 safely store, leave, or secure a loaded firearm in a
64 specified manner; reenacting s. 409.175(5)(f), F.S.,
65 relating to certain rules of the Department of
66 Children and Families, to incorporate the amendment
67 made to s. 790.174, F.S., in a reference thereto;