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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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03/03/2018 05:57 PM

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Senator Stewart moved the following:

1 **Senate Amendment to Substitute Amendment (726990) (with**
2 **title amendment)**

3
4 Between lines 327 and 328
5 insert:

6 Section 10. Section 790.30, Florida Statutes, is created to
7 read:

8 Section 790.30 Definitions.-As used in this section, the
9 term:

10 (1) "Assault weapon" means:

11 (a) A selective-fire firearm capable of fully automatic or



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12 burst fire at the option of the user.

13 (b) A part or combination of parts that convert a firearm
14 into an assault weapon, or any combination of parts from which
15 an assault weapon may be assembled if those parts are in the
16 possession or under the control of the same person.

17 (c) A firearm not listed in this subsection which meets the
18 criteria of one of the following subparagraphs:

19 1. A semiautomatic rifle that has an ability to accept a
20 detachable magazine and that has one or more of the following:

21 a. A pistol grip that protrudes conspicuously beneath the
22 action of the weapon or any feature functioning as a protruding
23 grip that can be held by the nontrigger hand, or a thumbhole
24 stock.

25 b. A bayonet mount.

26 c. A flash suppressor or threaded barrel designed to
27 accommodate a flash suppressor.

28 d. A grenade launcher.

29 e. A shroud that is attached to the barrel, or that
30 partially or completely encircles the barrel and allows the
31 bearer to hold the firearm with the nontrigger hand without
32 being burned, but excluding a slide that encloses the barrel.

33 2. A semiautomatic pistol that has an ability to accept a
34 detachable magazine and that has one or more of the following:

35 a. The capacity to accept an ammunition magazine that
36 attaches to the pistol at any location outside the pistol grip.

37 b. A threaded barrel capable of accepting a barrel
38 extender, flash suppressor, forward handgrip, or silencer.

39 c. A slide that encloses the barrel and that allows the
40 shooter to hold the firearm with the nontrigger hand without



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41 being burned.
42 d. A semiautomatic version of an automatic firearm.
43 e. Any feature capable of functioning as a protruding grip
44 that can be held by the nontrigger hand.
45 f. A folding, telescoping, or thumbhole stock.
46 3. A semiautomatic shotgun that has one or more of the
47 following:
48 a. A pistol grip that protrudes conspicuously beneath the
49 action of the weapon.
50 b. A thumbhole stock.
51 c. A fixed-magazine capacity in excess of 5 rounds.
52 d. An ability to accept a detachable magazine.
53 e. A semiautomatic pistol or a semiautomatic, centerfire,
54 or rimfire rifle with a fixed magazine that has the capacity to
55 accept more than 10 rounds of ammunition.
56 f. A part or combination of parts designed or intended to
57 convert a firearm into an assault weapon, or any combination of
58 parts from which an assault weapon may be assembled if those
59 parts are in the possession or under the control of the same
60 person.
61 (2) "Large-capacity magazine" means any ammunition feeding
62 device with the capacity to accept more than 15 rounds, or any
63 conversion kit, part, or combination of parts from which such a
64 device can be assembled if those parts are in the possession or
65 under the control of the same person, but does not include any
66 of the following:
67 (a) A feeding device that has been permanently altered so
68 that it cannot accommodate more than 7 rounds;
69 (b) A .22 caliber tube ammunition feeding device; or



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70 (c) A tubular magazine that is contained in a lever-action
71 firearm.

72 Section 11. Section 790.305, Florida Statutes, is created
73 to read:

74 Section 790.305 Permit for ownership of an assault weapon.

75 (1) (a) The Department of Law Enforcement shall issue a
76 permit for ownership of an assault weapon to an applicant who
77 submits a completed application and a one-time fee of \$1,000,
78 after the applicant has met the requirements of s. 790.065.

79 (b) All proceeds collected shall be deposited in the
80 Florida Education Finance Program to pay for the mental health
81 assistance allocation as defined in 1011.62(16).

82 (2) A person who purchases an assault weapons in this state
83 after the effective date of this act must acquire a valid permit
84 for ownership issued pursuant to this section at the time of
85 sale, distribution, transfer, or gifting.

86 (3) By July 1, 2020, all persons who own an assault weapon
87 in this state must hold a valid permit for ownership of an
88 assault weapon pursuant to this section. A person who violates
89 this subsection commits a misdemeanor of the first degree,
90 punishable as provided in s. 775.082 or s. 775.083.

91 (4) In lieu of obtaining a valid permit under this section,
92 an individual may arrange to relinquish an assault weapon to a
93 law enforcement agency, as defined in s. 934.02(10), or the
94 Department of Law Enforcement.

95 (5) The Department of Law Enforcement must adopt rules and
96 procedures to administer this section.

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



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99 And the title is amended as follows:

100 Delete line 2285

101 and insert:

102 relief; creating s. 790.30, F.S.; defining the terms
103 "assault weapon" and "large-capacity magazine";
104 creating s. 790.305, F.S.; requiring the Department of
105 Law Enforcement to issue a permit for ownership of an
106 assault weapon to an applicant who submits a completed
107 application and a one-time specified fee after the
108 applicant has met specified requirements; requiring
109 all proceeds collected to be deposited in the Florida
110 Education Finance Program to pay for mental health
111 assistance allocation; requiring a person who
112 purchases an assault weapons in this state after a
113 specified date to acquire a valid permit for ownership
114 issued at the time of sale, distribution, transfer, or
115 gifting; beginning on a specified date, requiring all
116 persons who own an assault weapon in this state to
117 hold a valid permit for ownership of an assault
118 weapon; providing a criminal penalty; authorizing an
119 individual to arrange to relinquish an assault weapon
120 to a law enforcement agency or the department in lieu
121 of obtaining a valid permit; requiring the department
122 to adopt rules and procedures; creating s. 790.401,
123 F.S.; defining terms;