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CS/HB 487, Engrossed 1

2019 Legislature

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 2 An act relating to carrying of firearms by tactical
 3 medical professionals; amending s. 790.25, F.S.;
 4 exempting certain licensed medical professionals from
 5 specified provisions concerning the carrying of
 6 firearms; requiring certain policies and procedures
 7 for law enforcement agencies; providing such
 8 professionals have no duty to retreat in certain
 9 circumstances; providing immunities and privileges for
 10 such professionals; providing construction; requiring
 11 the appointing law enforcement agency to issue to
 12 tactical medical professionals any firearm or
 13 ammunition; providing a definition; providing an
 14 effective date.

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 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Paragraph (q) is added to subsection (3) of
 19 section 790.25, Florida Statutes, to read:

20 790.25 Lawful ownership, possession, and use of firearms
 21 and other weapons.—

22 (3) LAWFUL USES.—The provisions of ss. 790.053 and 790.06
 23 do not apply in the following instances, and, despite such
 24 sections, it is lawful for the following persons to own,
 25 possess, and lawfully use firearms and other weapons,

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26 | ammunition, and supplies for lawful purposes:

27 | (q)1. A tactical medical professional who is actively
 28 | operating in direct support of a tactical operation by a law
 29 | enforcement agency provided that:

30 | a. The tactical medical professional is lawfully able to
 31 | possess firearms and has an active concealed weapons permit
 32 | issued pursuant to s. 790.06.

33 | b. The tactical medical professional is appointed to a law
 34 | enforcement tactical team of a law enforcement agency by the
 35 | head of the law enforcement agency.

36 | c. The law enforcement agency has an established policy
 37 | providing for the appointment, training, and deployment of the
 38 | tactical medical professional.

39 | d. The tactical medical professional successfully
 40 | completes a firearms safety training and tactical training as
 41 | established or designated by the appointing law enforcement
 42 | agency.

43 | e. The law enforcement agency provides and the tactical
 44 | medical professional participates in annual firearm training and
 45 | tactical training.

46 | 2. While actively operating in direct support of a
 47 | tactical operation by a law enforcement agency, a tactical
 48 | medical professional:

49 | a. May carry a firearm in the same manner as a law
 50 | enforcement officer, as defined in s. 943.10 and,

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51 notwithstanding any other law, at any place a tactical law
 52 enforcement operation occurs.

53 b. Has no duty to retreat and is justified in the use of
 54 any force which he or she reasonably believes is necessary to
 55 defend himself or herself or another from bodily harm.

56 c. Has the same immunities and privileges as a law
 57 enforcement officer, as defined in s. 943.10, in a civil or
 58 criminal action arising out of a tactical law enforcement
 59 operation when acting within the scope of his or her official
 60 duties.

61 3. This paragraph may not be construed to authorize a
 62 tactical medical professional to carry, transport, or store any
 63 firearm or ammunition on any fire apparatus or EMS vehicle

64 4. The appointing law enforcement agency shall issue any
 65 firearm or ammunition that the tactical medical professional
 66 carries in accordance with this paragraph.

67 5. For the purposes of this paragraph, the term "tactical
 68 medical professional" means a paramedic, as defined in s.
 69 401.23, a physician, as defined in s. 458.305, or an osteopathic
 70 physician, as defined in s. 459.003, who is appointed to provide
 71 direct support to a tactical law enforcement unit by providing
 72 medical services at high-risk incidents, including, but not
 73 limited to, hostages incidents, narcotics raids, hazardous
 74 surveillance, sniper incidents, armed suicidal persons,
 75 barricaded suspects, high risk felony warrant service, fugitives

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76 | refusing to surrender, and active shooter incidents.

77 | Section 2. This act shall take effect July 1, 2019.