

By Senator Albritton

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1 A bill to be entitled
 2 An act relating to firearms; amending s. 790.115,
 3 F.S.; authorizing a concealed weapon or concealed
 4 firearm licensee to carry a concealed firearm on the
 5 property of a religious institution during religious
 6 services or religious institution events when the
 7 property also contains a school; providing exceptions;
 8 reenacting s. 775.30(2), F.S., relating to terrorism,
 9 to incorporate the amendment made to s. 790.115, F.S.,
 10 in a reference thereto; providing an effective date.

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

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 14 Section 1. Subsection (2) of section 790.115, Florida
 15 Statutes, is amended to read:

16 790.115 Possessing or discharging weapons or firearms at a
 17 school-sponsored event or on school property prohibited;
 18 penalties; exceptions.—

19 (2) (a) A person may ~~shall~~ not possess a any firearm,
 20 electric weapon or device, destructive device, or other weapon
 21 as defined in s. 790.001(13), including a razor blade or box
 22 cutter, except as authorized in support of school-sanctioned
 23 activities, at a school-sponsored event, or on the property of
 24 any school, school bus, or school bus stop; however, a person
 25 may carry a firearm:

26 1. In a case to a firearms program, class, or function
 27 which has been approved in advance by the principal or chief
 28 administrative officer of the school as a program or class to
 29 which firearms could be carried;

26-00863-19

2019598__

30 2. In a case to a career center having a firearms training
31 range; ~~or~~

32 3. In a vehicle pursuant to s. 790.25(5); except that
33 school districts may adopt written and published policies that
34 waive the exception in this subparagraph for purposes of student
35 and campus parking privileges; or

36 4. In a concealed manner, if the person is authorized to
37 carry a concealed firearm under s. 790.06, upon the property of
38 a religious institution, as defined in s. 496.404, during
39 religious services or religious institution events when the
40 property also contains a school. However, a person may not carry
41 a concealed firearm:

42 a. During school hours or when curricular or
43 extracurricular school-sponsored events are taking place on the
44 property.

45 b. In any place or in any manner prohibited by federal law.

46
47 For the purposes of this section, "school" means any preschool,
48 elementary school, middle school, junior high school, secondary
49 school, career center, or postsecondary school, whether public
50 or nonpublic.

51 (b) A person who willfully and knowingly possesses any
52 electric weapon or device, destructive device, or other weapon
53 as defined in s. 790.001(13), including a razor blade or box
54 cutter, except as authorized in support of school-sanctioned
55 activities, in violation of this subsection commits a felony of
56 the third degree, punishable as provided in s. 775.082, s.
57 775.083, or s. 775.084.

58 (c)1. A person who willfully and knowingly possesses any

26-00863-19

2019598__

59 firearm in violation of this subsection commits a felony of the
60 third degree, punishable as provided in s. 775.082, s. 775.083,
61 or s. 775.084.

62 2. A person who stores or leaves a loaded firearm within
63 the reach or easy access of a minor who obtains the firearm and
64 commits a violation of subparagraph 1. commits a misdemeanor of
65 the second degree, punishable as provided in s. 775.082 or s.
66 775.083; except that this does not apply if the firearm was
67 stored or left in a securely locked box or container or in a
68 location which a reasonable person would have believed to be
69 secure, or was securely locked with a firearm-mounted push-
70 button combination lock or a trigger lock; if the minor obtains
71 the firearm as a result of an unlawful entry by any person; or
72 to members of the Armed Forces, National Guard, or State
73 Militia, or to police or other law enforcement officers, with
74 respect to firearm possession by a minor which occurs during or
75 incidental to the performance of their official duties.

76 (d) A person who discharges any weapon or firearm while in
77 violation of paragraph (a), unless discharged for lawful defense
78 of himself or herself or another or for a lawful purpose,
79 commits a felony of the second degree, punishable as provided in
80 s. 775.082, s. 775.083, or s. 775.084.

81 (e) The penalties of this subsection shall not apply to
82 persons licensed under s. 790.06. Persons licensed under s.
83 790.06 shall be punished as provided in s. 790.06(12), except
84 that a licenseholder who unlawfully discharges a weapon or
85 firearm on school property as prohibited by this subsection
86 commits a felony of the second degree, punishable as provided in
87 s. 775.082, s. 775.083, or s. 775.084.

26-00863-19

2019598__

88 Section 2. For the purpose of incorporating the amendment
89 made by this act to section 790.115, Florida Statutes, in a
90 reference thereto, subsection (2) of section 775.30, Florida
91 Statutes, is reenacted to read:

92 775.30 Terrorism; defined; penalties.—

93 (2) A person who violates s. 782.04(1)(a)1. or (2), s.
94 782.065, s. 782.07(1), s. 782.09, s. 784.045, s. 784.07, s.
95 787.01, s. 787.02, s. 787.07, s. 790.115, s. 790.15, s. 790.16,
96 s. 790.161, s. 790.1615, s. 790.162, s. 790.166, s. 790.19, s.
97 806.01, s. 806.031, s. 806.111, s. 815.06, s. 815.061, s.
98 859.01, or s. 876.34, in furtherance of intimidating or coercing
99 the policy of a government, or in furtherance of affecting the
100 conduct of a government by mass destruction, assassination, or
101 kidnapping, commits the crime of terrorism, a felony of the
102 first degree, punishable as provided in s. 775.082, s. 775.083,
103 or s. 775.084.

104 Section 3. This act shall take effect July 1, 2019.