

By the Committee on Judiciary; and Senator Albritton

590-02491-19

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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 when the property
6 also contains a school; providing exceptions;
7 reenacting s. 775.30(2), F.S., relating to terrorism,
8 to incorporate the amendment made to s. 790.115, F.S.,
9 in a reference thereto; providing an effective date.

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

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

15 790.115 Possessing or discharging weapons or firearms at a
16 school-sponsored event or on school property prohibited;
17 penalties; exceptions.-

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

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

29 2. In a case to a career center having a firearms training

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30 range; ~~or~~

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

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

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

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

44
45 For the purposes of this section, "school" means any preschool,
46 elementary school, middle school, junior high school, secondary
47 school, career center, or postsecondary school, whether public
48 or nonpublic.

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

56 (c)1. A person who willfully and knowingly possesses any
57 firearm in violation of this subsection commits a felony of the
58 third degree, punishable as provided in s. 775.082, s. 775.083,

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59 or s. 775.084.

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

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

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

86 Section 2. For the purpose of incorporating the amendment
87 made by this act to section 790.115, Florida Statutes, in a

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88 reference thereto, subsection (2) of section 775.30, Florida
89 Statutes, is reenacted to read:

90 775.30 Terrorism; defined; penalties.—

91 (2) A person who violates s. 782.04(1)(a)1. or (2), s.
92 782.065, s. 782.07(1), s. 782.09, s. 784.045, s. 784.07, s.
93 787.01, s. 787.02, s. 787.07, s. 790.115, s. 790.15, s. 790.16,
94 s. 790.161, s. 790.1615, s. 790.162, s. 790.166, s. 790.19, s.
95 806.01, s. 806.031, s. 806.111, s. 815.06, s. 815.061, s.
96 859.01, or s. 876.34, in furtherance of intimidating or coercing
97 the policy of a government, or in furtherance of affecting the
98 conduct of a government by mass destruction, assassination, or
99 kidnapping, commits the crime of terrorism, a felony of the
100 first degree, punishable as provided in s. 775.082, s. 775.083,
101 or s. 775.084.

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