

By Senator Bracy

11-00312-20

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1                   A bill to be entitled  
2       An act relating to large-capacity magazines; creating  
3       s. 790.236, F.S.; defining the term "large-capacity  
4       magazine"; prohibiting the sale, transfer, or  
5       possession of large-capacity magazines; providing  
6       criminal penalties; providing exceptions; providing an  
7       effective date.

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

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11       Section 1. Section 790.236, Florida Statutes, is created to  
12       read:

13       790.236 Large-capacity magazines prohibited.—

14       (1) DEFINITION.—"Large-capacity magazine" means any  
15 ammunition feeding device with the capacity to accept more than  
16 10 rounds, or any conversion kit, part, or combination of parts  
17 in the possession or under the control of a person from which  
18 such a device can be assembled, but does not include any of the  
19 following:

20       (a) An ammunition feeding device that has been permanently  
21 altered so that it cannot accommodate more than 10 rounds;

22       (b) A .22 caliber tube ammunition feeding device; or

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

25       (2) SALE OR TRANSFER.—Except as provided in subsection (4),  
26 a person who imports into this state or who distributes,  
27 transports, sells, keeps for sale, offers or exposes for sale,  
28 or gives a large-capacity magazine within this state commits a  
29 felony of the third degree, punishable as provided in s.

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30 775.082, s. 775.083, or s. 775.084.

31 (3) POSSESSION.—Except as provided in subsection (4), a  
32 person who possesses within this state a large-capacity magazine  
33 commits a felony of the third degree, punishable as provided in  
34 s. 775.082, s. 775.083, or s. 775.084.

35 (4) EXCEPTIONS.—This section does not apply to the sale,  
36 transfer, or possession of a large-capacity magazine by  
37 employees of the Department of Law Enforcement, a law  
38 enforcement agency as defined in s. 934.02, the Department of  
39 Corrections, or the Armed Forces of the United States or of this  
40 state for use in the discharge of their official duties and does  
41 not prohibit the use or possession of large-capacity magazines  
42 by sworn members of these agencies when on duty if their use is  
43 within the scope of their duties.

44 Section 2. This act shall take effect October 1, 2020.