

1 A bill to be entitled
2 An act relating to licenses to carry concealed weapons
3 or firearms; amending s. 790.06, F.S.; reducing the
4 term and fee of a license to carry a concealed weapon
5 or firearm; revising a means of showing firearms
6 competency; requiring retention of fingerprints in a
7 specified state system; requiring proof of completion
8 of a firearms training or safety course or class
9 meeting specified requirements to renew a license;
10 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 (1), paragraph (h) of subsection
15 (2), paragraphs (b) and (c) of subsection (5), and paragraph (a)
16 of subsection (11) of section 790.06, Florida Statutes, are
17 amended to read:

18 790.06 License to carry concealed weapon or firearm.—

19 (1) The Department of Agriculture and Consumer Services is
20 authorized to issue licenses to carry concealed weapons or
21 concealed firearms to persons qualified as provided in this
22 section. Each such license must bear a color photograph of the
23 licensee. For the purposes of this section, concealed weapons or
24 concealed firearms are defined as a handgun, electronic weapon
25 or device, tear gas gun, knife, or billie, but the term does not

26 | include a machine gun as defined in s. 790.001(9). Such licenses
27 | shall be valid throughout the state for a period of 5 7 years
28 | from the date of issuance. Any person in compliance with the
29 | terms of such license may carry a concealed weapon or concealed
30 | firearm notwithstanding the provisions of s. 790.01. The
31 | licensee must carry the license, together with valid
32 | identification, at all times in which the licensee is in actual
33 | possession of a concealed weapon or firearm and must display
34 | both the license and proper identification upon demand by a law
35 | enforcement officer. Violations of the provisions of this
36 | subsection shall constitute a noncriminal violation with a
37 | penalty of \$25, payable to the clerk of the court.

38 | (2) The Department of Agriculture and Consumer Services
39 | shall issue a license if the applicant:

40 | (h) Demonstrates competence with a firearm by any one of
41 | the following:

42 | 1. Completion of any hunter education or hunter safety
43 | course approved by the Fish and Wildlife Conservation Commission
44 | or a similar agency of another state;

45 | 2. Completion of any National Rifle Association firearms
46 | safety or training course;

47 | 3. Completion of any firearms safety or training course or
48 | class available to the general public offered by a law
49 | enforcement agency, junior college, college, or private or
50 | public institution or organization or firearms training school,

51 using instructors certified by the National Rifle Association,
52 Criminal Justice Standards and Training Commission, or the
53 Department of Agriculture and Consumer Services;

54 4. Completion of any law enforcement firearms safety or
55 training course or class offered for security guards,
56 investigators, special deputies, or any division or subdivision
57 of a law enforcement agency or security enforcement;

58 5. Presents evidence of equivalent experience with a
59 firearm through participation in organized shooting competition
60 or military service in the United States Armed Forces;

61 6. Is licensed or has been licensed to carry a firearm in
62 this state or a county or municipality of this state, unless
63 such license has been revoked for cause; or

64 7. Completion of any firearms training or safety course or
65 class conducted by a state-certified or National Rifle
66 Association certified firearms instructor;

67
68 A photocopy of a certificate of completion of any of the courses
69 or classes; an affidavit from the instructor, school, club,
70 organization, or group that conducted or taught such course or
71 class attesting to the completion of the course or class by the
72 applicant; or a copy of any document that shows completion of
73 the course or class or evidences participation in firearms
74 competition shall constitute evidence of qualification under
75 this paragraph. A person who conducts a course pursuant to

76 | subparagraph 2., subparagraph 3., or subparagraph 7., or who, as
77 | an instructor, attests to the completion of such courses, must
78 | maintain records certifying that he or she observed the student
79 | safely handle and discharge the firearm in his or her physical
80 | presence and that the discharge of the firearm included live
81 | fire using a firearm and ammunition as defined in s. 790.001;

82 | (5) The applicant shall submit to the Department of
83 | Agriculture and Consumer Services or an approved tax collector
84 | pursuant to s. 790.0625:

85 | (b) A nonrefundable license fee of up to \$40 ~~\$55~~ if he or
86 | she has not previously been issued a statewide license or of up
87 | to \$35 ~~\$45~~ for renewal of a statewide license. The cost of
88 | processing fingerprints as required in paragraph (c) shall be
89 | borne by the applicant. However, an individual holding an active
90 | certification from the Criminal Justice Standards and Training
91 | Commission as a law enforcement officer, correctional officer,
92 | or correctional probation officer as defined in s. 943.10(1),
93 | (2), (3), (6), (7), (8), or (9) is exempt from the licensing
94 | requirements of this section. If such individual wishes to
95 | receive a concealed weapon or firearm license, he or she is
96 | exempt from the background investigation and all background
97 | investigation fees but must pay the current license fees
98 | regularly required to be paid by nonexempt applicants. Further,
99 | a law enforcement officer, a correctional officer, or a
100 | correctional probation officer as defined in s. 943.10(1), (2),

101 or (3) is exempt from the required fees and background
102 investigation for 1 year after his or her retirement.

103 (c) A full set of fingerprints of the applicant
104 administered by a law enforcement agency or the Division of
105 Licensing of the Department of Agriculture and Consumer Services
106 or an approved tax collector pursuant to s. 790.0625 together
107 with any personal identifying information required by federal
108 law to process fingerprints. Fingerprints shall be retained in
109 the statewide automated biometric identification system under s.
110 943.05(2)(b) and when available, the national retained print
111 arrest notification program under s. 943.05(4). Charges for
112 fingerprint services under this paragraph are not subject to the
113 sales tax on fingerprint services imposed in s. 212.05(1)(i).

114 (11)(a) At least 90 days before the expiration date of the
115 license, the Department of Agriculture and Consumer Services
116 shall provide ~~mail to~~ each licensee a ~~written~~ notice of the
117 expiration electronically or in writing and the appropriate a
118 renewal form prescribed by the department of Agriculture and
119 ~~Consumer Services~~. The licensee must renew his or her license on
120 or before the expiration date by submitting to filing with the
121 ~~department of Agriculture and Consumer Services~~ the renewal form
122 containing an affidavit submitted under oath and under penalty
123 of perjury stating that the licensee remains qualified pursuant
124 to the criteria specified in subsections (2) and (3), a color
125 photograph as specified in paragraph (5)(e), a complete set of

126 | fingerprints, and the required renewal fee. A renewing licensee
127 | whose fingerprints are not currently retained in the statewide
128 | automated biometric identification system under s.943.05(2)(b)
129 | must submit a full set of fingerprints administered by a law
130 | enforcement agency or the Division of Licensing of the
131 | Department of Agriculture and Consumer Services or an approved
132 | tax collector pursuant to s. 790.0625, together with any
133 | personal identifying information required by federal law. ~~Out-~~
134 | ~~of-state residents must also submit a complete set of~~
135 | ~~fingerprints and fingerprint processing fee.~~ The license shall
136 | be renewed upon receipt of the completed renewal form, color
137 | photograph, fingerprints, and appropriate payment of fees, ~~and,~~
138 | ~~if applicable, fingerprints.~~ Additionally, a licensee who fails
139 | to file a renewal application on or before its expiration date
140 | must renew his or her license by paying a late fee of \$15. A
141 | license may not be renewed 180 days or more after its expiration
142 | date, and such a license is deemed to be permanently expired. A
143 | person whose license has been permanently expired may reapply
144 | for licensure; however, an application for licensure and fees
145 | under subsection (5) must be submitted, and a background
146 | investigation shall be conducted pursuant to this section. A
147 | person who knowingly files false information under this
148 | subsection is subject to criminal prosecution under s. 837.06.
149 | (b)1. Upon each renewal, a licensee must provide proof of
150 | completion of a firearms training or safety course or class at

151 least 8 hours in length taught by a state, county, or municipal
152 law enforcement agency or a nationally recognized organization
153 that promotes gun safety. The training, course or class must
154 occur 6 months immediately before the license expiration date
155 and must include:

156 a. Information on the statutory and case law of Florida
157 relating to handguns and to the use of deadly force.

158 b. Information on handgun use and safety.

159 c. Information on the proper storage practices for
160 handguns with an emphasis on storage practices that reduces the
161 possibility of accidental injury to a child.

162 d. The actual firing of the handgun by the licensee in the
163 presence of the instructor with ammunition as defined in s.
164 790.001.

165 2. A photocopy of a certificate of completion with an
166 affidavit from the instructor that conducted or taught such
167 course or class attesting to the completion by the renewing
168 licensee and the length of the course or class shall constitute
169 evidence of qualification under this paragraph.

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171 An instructor who conducts a course or class and attests to its
172 completion must maintain records certifying that all the
173 requirements for hours and training components in this paragraph
174 were met and that the instructor observed the licensee safely
175 handle and discharge the firearm in the instructor's physical

HB 809

2020

176 | presence and that the discharge of the firearm included live
177 | fire using a handgun and ammunition as defined in s. 790.001.
178 | Section 2. This act shall take effect July 1, 2020.