

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Beltran offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 611-623 and insert:

5 Section 9. Section 790.053, Florida Statutes, is amended
6 to read:

7 790.053 Open carrying of weapons.—

8 (1) Except as otherwise provided by law and in this
9 section subsection (2), it is unlawful for any person to openly
10 carry on or about his or her person any firearm or electric
11 weapon or device.

12 (2) It is not a violation of this section for a person
13 licensed to carry a concealed firearm as provided in s.

891201

Approved For Filing: 3/21/2023 3:54:08 PM

Amendment No.

14 790.06(1), and who is lawfully carrying a firearm in a concealed
15 manner, to briefly and openly display the firearm to the
16 ordinary sight of another person, unless the firearm is
17 intentionally displayed in an angry or threatening manner, not
18 in necessary self-defense.

19 (3) It is not a violation of this section for a person who
20 is licensed under s. 790.06 to openly carry a handgun in a level
21 two or greater retention device.

22 (4) It is not a violation of this section for a person who
23 is not licensed under s. 790.06, but otherwise satisfies the
24 criteria for receiving and maintaining such a license under s.
25 790.06(2)(a)-(f) and (i)-(n), (3), and (10) to openly carry a
26 handgun in a level two or greater retention device.

27 (5) A person openly carrying a firearm must comply with s.
28 790.013.

29 ~~(2) A person may openly carry, for purposes of lawful~~
30 ~~self-defense:~~

31 ~~(a) A self-defense chemical spray.~~

32 ~~(b) A nonlethal stun gun or dart-firing stun gun or other~~
33 ~~nonlethal electric weapon or device that is designed solely for~~
34 ~~defensive purposes.~~

35 (6)(3) Any person violating this section commits a
36 violation of s. 790.01(2) or (3) misdemeanor of the second
37 degree, punishable as provided in s. 775.082 or s. 775.083.
38

891201

Approved For Filing: 3/21/2023 3:54:08 PM

Amendment No.

39
40
41
42
43
44
45
46

T I T L E A M E N D M E N T

Remove lines 35-40 and insert:
changes made by the act; amending s. 790.053, F.S.;
revising exceptions to prohibitions to openly carry
weapons or firearms; specifying requirements for a
person engaged in open carry; providing criminal
penalties; amending s. 790.06, F.S.; defining the