

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Eskamani offered the following:

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

4 Between lines 1200 and 1201, insert:

5 Section 17. Section 790.402, Florida Statutes, is created
6 to read:

7 790.402 Voluntary waiver of firearm rights.-

8 (1) A person may file a voluntary waiver of firearm rights
9 with the clerk of the court in any county. The clerk of the
10 court must request photo identification to verify the person's
11 identity before accepting the form. The person filing the form
12 may provide an alternate person to be contacted if a voluntary
13 waiver of firearm rights is revoked. By the end of the business

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14 day, the clerk of the court must transmit the accepted form to
15 the Department of Law Enforcement. The department must enter the
16 voluntary waiver of firearm rights into the national instant
17 criminal background check system and any other federal or state
18 computer-based systems used by law enforcement agencies or
19 others to identify prohibited purchasers of firearms within 24
20 hours of receipt of the form.

21 (2) No sooner than 7 calendar days after filing a
22 voluntary waiver of firearm rights, the person may file a
23 revocation of the voluntary waiver of firearm rights in the same
24 county where the voluntary waiver of firearm rights was filed.
25 The clerk of the court must request photo identification to
26 verify the person's identity before accepting the form. By the
27 end of the business day, the clerk of the court must transmit
28 the form to the Department of Law Enforcement and to any contact
29 person listed on the voluntary waiver of firearm rights.

30 (3) A person's voluntary waiver of firearm rights remains
31 in effect for 6 months unless he or she revokes the waiver
32 earlier under subsection (2).

33 (4) Within 7 days after receiving a revocation of a
34 voluntary waiver of firearm rights under subsection (2) or
35 within 7 days after the expiration of a person's waiver under
36 subsection (3), the department must remove the person from the
37 national instant criminal background check system, and any other
38 federal or state computer-based systems used by law enforcement

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39 agencies or others to identify prohibited purchasers of firearms
40 in which the person was entered, unless the person is otherwise
41 ineligible to possess a firearm under this chapter.

42 (5) A person who knowingly makes a false statement
43 regarding their identity on the voluntary waiver of firearm
44 rights form or revocation of waiver of firearm rights form
45 commits a violation of s. 837.06.

46 (6) Neither a voluntary waiver of firearm rights nor a
47 revocation of a voluntary waiver of firearm rights shall be
48 considered by a court in any legal proceeding.

49 (7) A voluntary waiver of firearm rights may not be
50 required of an individual as a condition for receiving
51 employment, benefits, or services.

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

55 Remove line 70 and insert:
56 the definition of the term "handgun"; creating s.
57 790.402, F.S.; providing for individuals to
58 voluntarily waive their rights to purchase firearms;
59 providing procedures; providing duties of court clerks
60 and the Department of Law Enforcement; providing for
61 expiration of a waiver; prohibiting false statements;
62 providing criminal penalties; providing construction;
63 providing appropriations; creating s.

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