

By Senator Martin

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1 A bill to be entitled
2 An act relating to the mandatory waiting period for
3 handgun purchases; amending s. 790.0655, F.S.;
4 revising the mandatory 3-day waiting period to apply
5 only to handguns, rather than to firearms; removing a
6 provision authorizing that the mandatory waiting
7 period expire upon completion of a records check;
8 revising records requirements relating to firearm
9 sales to apply only to handguns; removing specified
10 exceptions to the mandatory waiting period; conforming
11 provisions to changes made by the act; providing an
12 effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Section 790.0655, Florida Statutes, is amended
17 to read:

18 790.0655 Purchase and delivery of handguns ~~firearms~~;
19 mandatory waiting period; exceptions; penalties.—

20 (1) (a) A mandatory 3-day waiting period, excluding weekends
21 and legal holidays, is imposed between the purchase and delivery
22 at retail of a handgun ~~firearm~~. ~~The mandatory waiting period is~~
23 ~~3 days, excluding weekends and legal holidays, or expires upon~~
24 ~~the completion of the records checks required under s. 790.065,~~
25 ~~whichever occurs later.~~ "Purchase" means the transfer of money
26 or other valuable consideration to the retailer. "Retailer" has
27 the same meaning as in s. 212.02(13), ~~means~~ and includes a
28 licensed importer, licensed manufacturer, or licensed dealer
29 engaged in the business of making firearm sales at retail or for

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30 distribution, or use, or consumption, or storage to be used or
31 consumed in this state, ~~as defined in s. 212.02(13).~~

32 (b) Records of handgun firearm sales must be available for
33 inspection by any law enforcement agency, as defined in s.
34 934.02, during normal business hours.

35 (2) The 3-day waiting period does not apply in the
36 following circumstances:

37 (a) When a handgun firearm is being purchased by a holder
38 of a concealed weapons or concealed firearms license issued
39 under s. 790.06.

40 (b) To a trade-in of another handgun firearm.

41 ~~(c) To the purchase of a rifle or shotgun, upon a person's~~
42 ~~successfully completing a minimum of a 16-hour hunter safety~~
43 ~~course and possessing a hunter safety certification card issued~~
44 ~~under s. 379.3581. A person who is exempt from the hunter safety~~
45 ~~course requirements under s. 379.3581 and holds a valid Florida~~
46 ~~hunting license is exempt from the mandatory waiting period~~
47 ~~under this section for the purchase of a rifle or shotgun.~~

48 ~~(d) When a rifle or shotgun is being purchased by a law~~
49 ~~enforcement officer or correctional officer, as those terms are~~
50 ~~defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a~~
51 ~~servicemember as defined in s. 250.01.~~

52 (3) It is a felony of the third degree, punishable as
53 provided in s. 775.082, s. 775.083, or s. 775.084:

54 (a) For any retailer, or any employee or agent of a
55 retailer, to deliver a handgun firearm before the expiration of
56 the 3-day waiting period, subject to the exceptions provided in
57 subsection (2).

58 (b) For a purchaser to obtain delivery of a handgun firearm

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59 by fraud, false pretense, or false representation.

60 Section 2. This act shall take effect July 1, 2024.