

By Senator Berman

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1 A bill to be entitled
2 An act relating to the possession or use of a firearm
3 in a sensitive location; creating s. 790.075, F.S.;
4 defining the term "sensitive location"; prohibiting
5 the possession or use of a firearm in a sensitive
6 location; providing criminal penalties; providing
7 exceptions; providing an 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 790.075, Florida Statutes, is created to
12 read:

13 790.075 Possession or use of firearm in sensitive
14 location.-

15 (1) As used in this section, the term "sensitive location"
16 means any of the following:

17 (a) Any part of a health care facility licensed by the
18 state, including, but not limited to, a hospital, a nursing home
19 or other similar residential facility, or a provider of services
20 for the care, support, or treatment of individuals.

21 (b) Any part of a building owned, leased, or operated by a
22 governmental entity, including, but not limited to, a polling
23 place, a courthouse, or a law enforcement facility.

24 (c) Any park, recreational facility or area, or playground
25 owned or controlled by a state, county, or municipality or other
26 governmental entity.

27 (d) Any place of worship or religious observation.

28 (e) Any public library, public playground, public park, or
29 public zoo.

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30 (f) The location of any program licensed, regulated,
31 certified, operated, or funded by a governmental entity which
32 provides services to children, youth, or young adults; any
33 legally exempt child care provider; or any child care program
34 for which a permit to operate such program has been issued.

35 (g) Any place owned or controlled by a federal, state, or
36 local governmental entity for the purpose of government
37 administration, including, but not limited to, any courthouse.

38 (h) Any place that provides health, behavioral health, or
39 chemical dependence care or services.

40 (i) Any nursery school, preschool, or summer camp.

41 (j) The location of any program licensed, regulated,
42 certified, operated, or funded by a governmental entity which
43 provides developmental disability services.

44 (k) The location of any program licensed, regulated,
45 certified, operated, or funded by a governmental entity which
46 provides mental health services.

47 (l) The location of any program licensed, regulated,
48 certified, operated, or funded by a governmental entity which
49 provides disability services.

50 (m) Any homeless shelter, runaway youth shelter, family
51 shelter, adult shelter, domestic violence shelter, or emergency
52 shelter, or the location of any residential program for victims
53 of domestic violence in or upon any building or grounds owned or
54 leased by any governmental entity.

55 (n) Any educational institution, college or university,
56 licensed private career school, school district, public school,
57 private school, or charter school.

58 (o) Any place, conveyance, or vehicle used for public

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59 transportation or public transit, including, but not limited to,
60 train cars, buses, ferries, railroads, or marine or aviation
61 transportation, or any facility used for or in connection with
62 service in the transportation of passengers, including, but not
63 limited to, airports, train stations, subway and rail stations,
64 or bus terminals.

65 (p) Any bar, restaurant where alcohol is served, or other
66 site or facility where alcohol is sold for consumption on the
67 premises.

68 (q) Any site or facility where cannabis is sold for
69 consumption on the premises.

70 (r) Any place used for performances, artistic displays,
71 entertainment, gaming, or sporting events, including, but not
72 limited to, theaters, stadiums, racetracks, museums, amusement
73 parks, performance venues, concerts, exhibits, conference
74 centers, banquet halls, or gaming facilities.

75 (2) Notwithstanding any other law, a person may not possess
76 a firearm in a sensitive location.

77 (a) Except as provided in paragraph (b), a person who
78 violates this subsection commits a felony of the third degree,
79 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

80 (b) A person who discharges a firearm while violating this
81 subsection commits a felony of the second degree, punishable as
82 provided in s. 775.082, s. 775.083, or s. 775.084.

83 (3) This section does not apply to:

84 (a) A law enforcement officer who qualifies to carry a
85 firearm under the federal Law Enforcement Officers Safety Act of
86 2004, 18 U.S.C. s. 926C.

87 (b) A law enforcement officer as defined in s. 943.10(1) or

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88 a retired law enforcement officer.

89 (c) An employee of a security agency licensed under part
90 III of chapter 493 whose license authorizes him or her to carry
91 a firearm while at the location of his or her employment during
92 work hours.

93 (d) A member of the United States Armed Forces on active
94 duty.

95 (e) A government employee under the express written consent
96 of the employee's supervising governmental entity for the
97 purposes of natural resource protection and management.

98 (f) A person operating a program in a sensitive location,
99 other than his or her residence, which is licensed, regulated,
100 certified, operated, or funded by a governmental entity, so long
101 as such possession is in compliance with any rules or
102 regulations applicable to the operation of such program and the
103 use or storage of a firearm.

104 Section 2. This act shall take effect October 1, 2024.