

By Senator Berman

26-00594-24

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1                                   A bill to be entitled  
 2       An act relating to discharging a firearm in  
 3       residential areas; amending s. 790.15, F.S.; revising  
 4       prohibitions on the discharge of a firearm in  
 5       residential areas; providing criminal penalties;  
 6       removing exceptions; providing an effective date.

8   Be It Enacted by the Legislature of the State of Florida:

9  
 10       Section 1. Subsection (4) of section 790.15, Florida  
 11       Statutes, is amended to read:

12       790.15 Discharging firearm in public or on residential  
 13       property.—

14       (4) (a) Any person who recreationally discharges a firearm  
 15       outdoors, including target shooting, in an area that the person  
 16       knows or reasonably should know:

- 17           1. Is primarily residential in nature; or and that has a  
 18       ~~residential density of one or more dwelling units per acre,~~  
 19           2. Has a residential density of 1.25 or more acres per  
 20       ~~dwelling unit, and the firearm discharge by the person does not~~  
 21       ~~remain within the boundaries of the property in which the~~  
 22       ~~discharge takes place,~~

23  
 24       commits a misdemeanor of the first degree, punishable as  
 25       provided in s. 775.082 or s. 775.083.

26       (b) This subsection does not apply~~+~~

27       ~~(a)~~ to a person lawfully defending life or property or  
 28       performing official duties requiring the discharge of a firearm~~+~~

29       ~~(b) If, under the circumstances, the discharge does not~~

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30 ~~pose a reasonably foreseeable risk to life, safety, or property;~~

31 ~~or~~

32 ~~(c) To a person who accidentally discharges a firearm.~~

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