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CS/CS/HB 383

2025 Legislature

1
2 An act relating to purchase and possession of firearms
3 by law enforcement officers, correctional officers,
4 correctional probation officers, and servicemembers;
5 amending s. 790.052, F.S.; specifying that
6 correctional probation officers have the right to
7 carry concealed firearms during off-duty hours at the
8 discretion of their superior officers; authorizing
9 correctional probation officers to perform certain law
10 enforcement functions under limited circumstances;
11 revising the definition of the terms "qualified law
12 enforcement officer" and "qualified retired law
13 enforcement officer"; specifying that a correctional
14 probation officer's appointing or employing agency or
15 department may limit the officer from carrying
16 concealed firearms during off-duty hours in his or her
17 capacity as an appointee or employee of the agency or
18 department; specifying that a superior officer in the
19 Department of Corrections who decides to direct the
20 officers under his or her supervision to carry
21 concealed firearms while off duty must file a certain
22 statement with the department's governing body;
23 amending s. 790.0655, F.S.; revising exemptions from
24 the mandatory waiting period between the purchase and
25 delivery of a firearm; defining the term "holder of a

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concealed weapons or concealed firearms license";
providing an effective date.

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

Section 1. Section 790.052, Florida Statutes, is amended
to read:

790.052 Carrying concealed firearms; off-duty law
enforcement officers.—

(1)(a) All persons holding active certifications from the
Criminal Justice Standards and Training Commission as law
enforcement officers, ~~or~~ correctional officers, or correctional
probation officers as defined in s. 943.10(1), (2), (3), (6),
(7), (8), or (9) shall have the right to carry, on or about
their persons, concealed firearms, during off-duty hours, at the
discretion of their superior officers, and may perform those law
enforcement functions that they normally perform during duty
hours, utilizing their weapons in a manner which is reasonably
expected of on-duty officers in similar situations.

(b) All persons holding an active certification from the
Criminal Justice Standards and Training Commission as a law
enforcement officer, ~~or~~ a correctional officer, or a
correctional probation officer as defined in s. 943.10(1), (2),
(3), (6), (7), (8), or (9) meet the definition of "qualified law
enforcement officer" in 18 U.S.C. s. 926B(c).

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51 (c) All persons who held an active certification from the
52 Criminal Justice Standards and Training Commission as a law
53 enforcement officer, ~~or~~ correctional officer, or correctional
54 probation officer as defined in s. 943.10(1), (2), (3), (6),
55 (7), (8), or (9), while working for an employing agency, as
56 defined in s. 943.10(4), but have separated from service under
57 the conditions set forth in 18 U.S.C. s. 926C(c), meet the
58 definition of "qualified retired law enforcement officer."

59 (d) This section does not limit the right of a law
60 enforcement officer, correctional officer, or correctional
61 probation officer to carry a concealed firearm off duty as a
62 private citizen under the exemption provided in s. 790.06 that
63 allows a law enforcement officer, correctional officer, or
64 correctional probation officer as defined in s. 943.10(1), (2),
65 (3), (6), (7), (8), or (9) to carry a concealed firearm without
66 a concealed weapon or concealed firearm license or as otherwise
67 provided by law. The appointing or employing agency or
68 department of an officer carrying a concealed firearm as a
69 private citizen is not liable for the use of the firearm in such
70 capacity. This section does not limit the authority of the
71 appointing or employing agency or department from establishing
72 policies limiting law enforcement officers, ~~or~~ correctional
73 officers, or correctional probation officers from carrying
74 concealed firearms during off-duty hours in their capacity as
75 appointees or employees of the agency or department.

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76 (2) The superior officer of any police department, any ~~or~~
77 sheriff's office, ~~or~~ the Florida Highway Patrol, or the
78 Department of Corrections, if he or she elects to direct the
79 officers under his or her supervision to carry concealed
80 firearms while off duty, shall file a statement with the
81 governing body of such department of his or her instructions and
82 requirements relating to the carrying of said firearms.

83 Section 2. Section 790.0655, Florida Statutes, is amended
84 to read:

85 790.0655 Purchase and delivery of firearms; mandatory
86 waiting period; exceptions; penalties.—

87 (1)(a) A mandatory waiting period is imposed between the
88 purchase and delivery of a firearm. The mandatory waiting period
89 is 3 days, excluding weekends and legal holidays, or expires
90 upon the completion of the records checks required under s.
91 790.065, whichever occurs later. ~~"Purchase" means the transfer~~
92 ~~of money or other valuable consideration to the retailer.~~
93 ~~"Retailer" means and includes a licensed importer, licensed~~
94 ~~manufacturer, or licensed dealer engaged in the business of~~
95 ~~making firearm sales at retail or for distribution, or use, or~~
96 ~~consumption, or storage to be used or consumed in this state, as~~
97 ~~defined in s. 212.02(13).~~

98 (b) Records of firearm sales must be available for
99 inspection by any law enforcement agency, as defined in s.
100 934.02, during normal business hours.

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101 (2) The waiting period does not apply in the following
102 circumstances:

103 (a) When a firearm is being purchased by a holder of a
104 concealed weapons or concealed firearms license ~~issued under s.~~
105 ~~790.06.~~

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

107 (c) To the purchase of a rifle or shotgun, upon a person's
108 successfully completing a minimum of a 16-hour hunter safety
109 course and possessing a hunter safety certification card issued
110 under s. 379.3581. A person who is exempt from the hunter safety
111 course requirements under s. 379.3581 and holds a valid Florida
112 hunting license is exempt from the mandatory waiting period
113 under this section for the purchase of a rifle or shotgun.

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

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

120 (a) For any retailer, or any employee or agent of a
121 retailer, to deliver a firearm before the expiration of the
122 waiting period, subject to the exceptions provided in subsection
123 (2).

124 (b) For a purchaser to obtain delivery of a firearm by
125 fraud, false pretense, or false representation.

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126 (4) For purposes of this section, the term:

127 (a) "Holder of a concealed weapons or concealed firearms
128 license" includes all of the following:

129 1. A person who holds a valid license issued under s.
130 790.06.

131 2. A law enforcement officer, correctional officer, or
132 correctional probation officer as those terms are defined in s.
133 943.10(1), (2), (3), (6), (7), (8), or (9).

134 3. A servicemember as defined in s. 250.01.

135 (b) "Purchase" means the transfer of money or other
136 valuable consideration to the retailer.

137 (c) "Retailer" means and includes a licensed importer,
138 licensed manufacturer, or licensed dealer engaged in the
139 business of making firearm sales at retail or for distribution,
140 or use, or consumption, or storage to be used or consumed in
141 this state, as defined in s. 212.02(13).

142 Section 3. This act shall take effect July 1, 2025.