

By the Committee on Criminal Justice; and Senator Collins

591-02124-25

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1 A bill to be entitled
2 An act relating to concealed carry licensing
3 requirements for law enforcement officers,
4 correctional officers, correctional probation
5 officers, and military servicemembers; amending s.
6 790.052, F.S.; specifying that correctional probation
7 officers have the right to carry concealed firearms,
8 during off-duty hours, at the discretion of their
9 superior officers; authorizing correctional probation
10 officers to perform certain law enforcement functions
11 under limited circumstances; revising the definition
12 of the terms "qualified law enforcement officer" and
13 "qualified retired law enforcement officer";
14 specifying that if the superior officer of the
15 Department of Corrections decides to direct the
16 officers under his or her supervision to carry
17 concealed firearms while off duty, he or she must file
18 a certain statement with the governing body of the
19 department; amending s. 790.0655, F.S.; revising the
20 exceptions to the required 3-day waiting period
21 between purchase and delivery of a firearm; defining
22 the term "holder of a concealed weapons or concealed
23 firearms license"; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Section 790.052, Florida Statutes, is amended to
28 read:

29 790.052 Carrying concealed firearms; off-duty law

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30 enforcement officers.-

31 (1)(a) All persons holding active certifications from the
32 Criminal Justice Standards and Training Commission as law
33 enforcement officers, ~~or~~ correctional officers, or correctional
34 probation officers as defined in s. 943.10(1), (2), (3), (6),
35 (7), (8), or (9) shall have the right to carry, on or about
36 their persons, concealed firearms, during off-duty hours, at the
37 discretion of their superior officers, and may perform those law
38 enforcement functions that they normally perform during duty
39 hours, utilizing their weapons in a manner which is reasonably
40 expected of on-duty officers in similar situations.

41 (b) All persons holding an active certification from the
42 Criminal Justice Standards and Training Commission as a law
43 enforcement officer, ~~or~~ a correctional officer, or a
44 correctional probation officer as defined in s. 943.10(1), (2),
45 (3), (6), (7), (8), or (9) meet the definition of "qualified law
46 enforcement officer" in 18 U.S.C. s. 926B(c).

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

55 (d) This section does not limit the right of a law
56 enforcement officer, correctional officer, or correctional
57 probation officer to carry a concealed firearm off duty as a
58 private citizen under the exemption provided in s. 790.06 that

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

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

79 Section 2. Section 790.0655, Florida Statutes, is amended
80 to read:

81 790.0655 Purchase and delivery of firearms; mandatory
82 waiting period; exceptions; penalties.—

83 (1)(a) A mandatory waiting period is imposed between the
84 purchase and delivery of a firearm. The mandatory waiting period
85 is 3 days, excluding weekends and legal holidays, or expires
86 upon the completion of the records checks required under s.
87 790.065, whichever occurs later. ~~"Purchase" means the transfer~~

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88 ~~of money or other valuable consideration to the retailer.~~
89 ~~"Retailer" means and includes a licensed importer, licensed~~
90 ~~manufacturer, or licensed dealer engaged in the business of~~
91 ~~making firearm sales at retail or for distribution, or use, or~~
92 ~~consumption, or storage to be used or consumed in this state, as~~
93 ~~defined in s. 212.02(13).~~

94 (b) Records of firearm sales must be available for
95 inspection by any law enforcement agency, as defined in s.
96 934.02, during normal business hours.

97 (2) The waiting period does not apply in the following
98 circumstances:

99 (a) When a firearm is being purchased by a holder of a
100 concealed weapons or concealed firearms license ~~issued under s.~~
101 ~~790.06.~~

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

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

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

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

116 (a) For any retailer, or any employee or agent of a

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117 retailer, to deliver a firearm before the expiration of the
118 waiting period, subject to the exceptions provided in subsection
119 (2).

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

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

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

125 1. A person who holds a valid license issued under s.
126 790.06.

127 2. A law enforcement officer, correctional officer, or
128 correctional probation officer, as those terms are defined in s.
129 943.10(1), (2), (3), (6), (7), (8), or (9).

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

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

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

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