

HOUSE AMENDMENT
Bill No. HB 133 (2026)

Amendment No.

CHAMBER ACTION

Senate

House

1 Representative Harris offered the following:

2

3 **Amendment (with title amendment)**

4 Between lines 24 and 25, insert:

5 **Section 2. Paragraph (c) of subsection (2) of section**
6 790.115, Florida Statutes, is amended to read:

7 790.115 Possessing or discharging weapons or firearms at a
8 school-sponsored event or on school property prohibited;
9 penalties; exceptions.—

10 (2)

11 (c)1. Except as provided in paragraph (e), a person who
12 willfully and knowingly possesses any firearm in violation of

476321

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Page 1 of 9

Amendment No.

13 this subsection commits a felony of the third degree, punishable
14 as provided in s. 775.082, s. 775.083, or s. 775.084.

15 2. A person who stores or leaves a loaded firearm within
16 the reach or easy access of a minor who obtains the firearm and
17 commits a violation of subparagraph 1. commits a misdemeanor of
18 the second degree, punishable as provided in s. 775.082 or s.
19 775.083; except that this does not apply if the firearm was
20 stored or left in a securely locked box or container or in a
21 secure location ~~which a reasonable person would have believed to~~
22 ~~be secure~~, or was securely locked with a firearm-mounted push-
23 button combination lock or a firearm locking mechanism trigger
24 ~~lock~~; if the minor obtains the firearm as a result of an
25 unlawful entry by any person; or to members of the United States
26 Armed Forces, National Guard, or State Militia, or to police or
27 other law enforcement officers, with respect to firearm
28 possession by a minor which occurs during or incidental to the
29 performance of their official duties.

30 **Section 3. Section 790.174, Florida Statutes, is amended
31 to read:**

32 790.174 Safe storage of firearms required.—

33 (1) As used in this section, the term "minor" means a
34 person younger than 18 years of age.

35 (2) A person who stores or leaves, on a premise under his
36 or her control, a loaded firearm, as defined in s. 790.001, and
37 who knows or reasonably should know that a minor is likely to

476321

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Amendment No.

38 gain access to the firearm without the lawful permission of the
39 minor's parent or guardian or the person having charge of the
40 minor, or without the supervision required by law, shall keep
41 the firearm in a securely locked box or container ~~or in a~~
42 ~~location which a reasonable person would believe to be secure or~~
43 shall secure it with a firearm locking mechanism trigger lock,
44 except when the person is carrying the firearm on his or her
45 body or within such close proximity thereto that he or she can
46 retrieve and use it as easily and quickly as if he or she
47 carried it on his or her body.

48 (3)~~(2)~~ It is a misdemeanor of the second degree,
49 punishable as provided in s. 775.082 or s. 775.083, if a person
50 violates subsection (2) ~~(1)~~ by failing to store or leave a
51 firearm in the required manner and as a result thereof a minor
52 gains access to the firearm, without the lawful permission of
53 the minor's parent or guardian or the person having charge of
54 the minor, and possesses or exhibits it, without the supervision
55 required by law:

56 (a) In a public place; ~~or~~
57 (b) In a rude, careless, angry, or threatening manner in
58 violation of s. 790.10;
59 (c) During the commission of any violation of law; or
60 (d) When great bodily harm or injury occurs, unless the
61 bodily harm or injury is a result of the firearm being used for
62 lawful self-defense or defense of another person.

476321

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Amendment No.

63
64 This subsection does not apply if the minor obtains the firearm
65 as a result of an unlawful entry by any person.

66 ~~(3) As used in this act, the term "minor" means any person~~
67 ~~under the age of 16.~~

68 **Section 4. Section 790.175, Florida Statutes, is amended**
69 **to read:**

70 790.175 Transfer or sale of firearms; required warnings
71 and information; penalties.—

72 (1) Upon the retail commercial sale or retail transfer of
73 any firearm, the seller or transferor shall deliver a written
74 warning to the purchaser or transferee, which warning states, in
75 block letters not less than 1/4 inch in height:

76
77 ~~IT IS UNLAWFUL, AND PUNISHABLE BY IMPRISONMENT AND~~
78 ~~FINE, FOR ANY ADULT TO STORE OR LEAVE A FIREARM IN AN~~
79 ~~UNSAFE MANNER IN ANY PLACE WITHIN THE REACH OR EASY~~
80 ~~ACCESS OF A MINOR UNDER 18 YEARS OF AGE OR TO~~
81 ~~KNOWINGLY SELL OR OTHERWISE TRANSFER OWNERSHIP OR~~
82 ~~POSSESSION OF A FIREARM TO A MINOR OR A PERSON OF~~
83 ~~UNSOULD MIND.~~■

84
85 (2) Any retail or wholesale store, shop, or sales outlet
86 which sells firearms must conspicuously post at each purchase

476321

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Amendment No.

87 counter the following warning in block letters not less than 1
88 inch in height:

89
90 IT IS UNLAWFUL TO STORE OR LEAVE A FIREARM IN AN
91 UNSAFE MANNER IN ANY PLACE WITHIN THE REACH OR EASY
92 ACCESS OF A MINOR UNDER 18 YEARS OF AGE OR TO
93 KNOWINGLY SELL OR OTHERWISE TRANSFER OWNERSHIP OR
94 POSSESSION OF A FIREARM TO A MINOR OR A PERSON OF
95 UNSOULD MIND.IT

96
97 (3) (a) At the time of the retail commercial sale or the
98 retail transfer of any firearm, the seller or transferor shall
99 comply with all of the following:

100 1. Provide each purchaser or transferee with a brochure on
101 basic firearm safety. The brochure must be produced by a
102 national nonprofit membership organization that provides a
103 comprehensive voluntary safety program, including the training
104 of individuals on the safe handling and use of firearms, or by a
105 comparable nonprofit organization, and must contain all of the
106 following information relating to firearms:

107 a. Rules for the safe handling, storage, and use of
108 firearms.

109 b. Nomenclature and descriptions of various types of
110 firearms.

111 c. Responsibilities of firearm ownership.

476321

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Amendment No.

112 d. The following information developed by the Department
113 of Law Enforcement:

114 (I) A list of locations where handguns are prohibited; and
115 (II) Information concerning the use of handguns for self-
116 defense.

117 2. Offer the purchaser a demonstration of how to use a
118 firearm locking mechanism.

119 3. Post in a conspicuous place information relating to the
120 availability of known local voluntary firearm safety programs.

121 (b) The brochure required under paragraph (a) does not
122 need to be provided by the firearm dealer if the firearm
123 manufacturer provides with the firearm a brochure on basic
124 firearm safety.

125 (c) The firearm dealer may charge a fee for the brochure
126 which may not exceed the dealer's cost in obtaining the
127 brochure.

128 (d) Organizations that produce brochures on basic firearm
129 safety for distribution to firearm dealers for subsequent
130 distribution to purchasers of firearms under this section and
131 firearm dealers are not liable for injuries resulting from the
132 accidental discharge of nondefective firearms purchased from any
133 firearm dealer.

134 (4) Any person or business that knowingly violates
135 subsection (1) or subsection (2) or that violates subsection (3)
136 violating a requirement to provide warning under this section

476321

Approved For Filing: 1/13/2026 1:07:44 PM

Amendment No.

137 commits a misdemeanor of the second degree, punishable as
138 provided in s. 775.082 or s. 775.083.

139 **Section 5. For the purpose of incorporating the amendment**
140 **made by this act to section 790.174, Florida Statutes, in a**
141 **reference thereto, paragraph (g) of subsection (5) of section**
142 **409.175, Florida Statutes, is reenacted to read:**

143 409.175 Licensure of family foster homes, residential
144 child-caring agencies, and child-placing agencies; public
145 records exemption.—

146 (5) The department shall adopt and amend rules for the
147 levels of licensed care associated with the licensure of family
148 foster homes, residential child-caring agencies, and child-
149 placing agencies. The rules may include criteria to approve
150 waivers to licensing requirements when applying for a child-
151 specific license.

152 (g) The department's rules shall include adoption of a
153 form to be used by child-placing agencies during an adoption
154 home study that requires all prospective adoptive applicants to
155 acknowledge in writing the receipt of a document containing
156 solely and exclusively the language provided for in s. 790.174
157 verbatim.

159 -----
160 **T I T L E A M E N D M E N T**

161 Remove lines 2-7 and insert:

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Amendment No.

162 An act relating to the sale, transfer, and storage of
163 firearms; amending s. 790.065, F.S.; reducing the
164 minimum age at which a person may purchase a firearm
165 and the age of purchasers to which specified licensees
166 are prohibited from selling or transferring a firearm;
167 repealing an exception; amending s. 790.115, F.S.;
168 revising an exception to the prohibition on storing or
169 leaving a loaded firearm within the reach or easy
170 access of a minor who obtains it and commits a
171 specified violation; conforming a provision to changes
172 made by the act; amending s. 790.174, F.S.; revising
173 the definition of the term "minor"; revising
174 requirements for the safe storage of loaded firearms;
175 providing criminal penalties if a person is found to
176 have failed to properly secure or store a firearm,
177 resulting in a minor gaining access to the weapon;
178 amending s. 790.175, F.S.; conforming provisions to
179 changes made by the act; requiring the seller or
180 transferor of a firearm to comply with specified
181 provisions; providing an exception; authorizing a
182 firearm dealer to charge a certain fee; providing
183 immunity for certain providers of information;
184 providing criminal penalties; making technical
185 changes; reenacting s. 409.175(5)(g), F.S., relating
186 to rules of the Department of Children and Families

476321

Approved For Filing: 1/13/2026 1:07:44 PM

HOUSE AMENDMENT

Bill No. HB 133 (2026)

Amendment No.

187 requiring the adoption of a form used by child-placing
188 agencies, to incorporate the amendment made to s.
189 790.174, F.S., in a reference thereto; providing an
190 effective date.

476321

Approved For Filing: 1/13/2026 1:07:44 PM

Page 9 of 9