

1                                   A bill to be entitled  
 2           An act relating to licenses to carry concealed weapons  
 3           or firearms; amending s. 311.12, F.S.; authorizing  
 4           persons holding licenses to carry concealed weapons or  
 5           firearms to carry in secure and restricted areas of  
 6           seaports; amending s. 790.06, F.S.; deleting  
 7           restrictions on places where persons holding licenses  
 8           to carry concealed weapons or firearms may carry;  
 9           amending s. 790.115, F.S.; authorizing persons holding  
 10          licenses to carry concealed weapons or firearms to  
 11          carry at school-sponsored events or on school  
 12          property; amending s. 790.145, F.S.; authorizing  
 13          persons holding licenses to carry concealed firearms  
 14          to carry concealed firearms in pharmacies; amending s.  
 15          790.251, F.S.; conforming provisions to changes made  
 16          by the act; providing an effective date.

17  
 18   Be It Enacted by the Legislature of the State of Florida:

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 20           Section 1. Paragraph (b) of subsection (3) of section  
 21   311.12, Florida Statutes, is amended to read:

22           311.12 Seaport security.—

23           (3) SECURE AND RESTRICTED AREAS.—Each seaport listed in s.  
 24   311.09 must clearly designate in seaport security plans, and  
 25   clearly identify with appropriate signs and markers on the

26 | premises of a seaport, all secure and restricted areas as  
 27 | defined by 33 C.F.R. part 105.

28 | (b) The seaport must provide clear notice of the  
 29 | prohibition against possession of concealed weapons and other  
 30 | contraband material on the premises of the seaport. Any person  
 31 | in a restricted area who has in his or her possession a  
 32 | concealed weapon, or who operates or has possession or control  
 33 | of a vehicle in or upon which a concealed weapon is placed or  
 34 | stored, commits a misdemeanor of the first degree, punishable as  
 35 | provided in s. 775.082 or s. 775.083. This paragraph does not  
 36 | apply to active-duty certified federal or state law enforcement  
 37 | personnel, persons licensed to carry concealed weapons or  
 38 | firearms under s. 790.06, or persons so designated by the  
 39 | seaport director in writing.

40 | Section 2. Subsection (12) of section 790.06, Florida  
 41 | Statutes, is amended to read:

42 | 790.06 License to carry concealed weapon or firearm.—

43 | ~~(12) (a) A license issued under this section does not~~  
 44 | ~~authorize any person to openly carry a handgun or carry a~~  
 45 | ~~concealed weapon or firearm into:~~

- 46 | ~~1. Any place of nuisance as defined in s. 823.05;~~
- 47 | ~~2. Any police, sheriff, or highway patrol station;~~
- 48 | ~~3. Any detention facility, prison, or jail;~~
- 49 | ~~4. Any courthouse;~~
- 50 | ~~5. Any courtroom, except that nothing in this section~~

51 ~~would preclude a judge from carrying a concealed weapon or~~  
 52 ~~determining who will carry a concealed weapon in his or her~~  
 53 ~~courtroom;~~

54 ~~6. Any polling place;~~

55 ~~7. Any meeting of the governing body of a county, public~~  
 56 ~~school district, municipality, or special district;~~

57 ~~8. Any meeting of the Legislature or a committee thereof;~~

58 ~~9. Any school, college, or professional athletic event not~~  
 59 ~~related to firearms;~~

60 ~~10. Any elementary or secondary school facility or~~  
 61 ~~administration building;~~

62 ~~11. Any career center;~~

63 ~~12. Any portion of an establishment licensed to dispense~~  
 64 ~~alcoholic beverages for consumption on the premises, which~~  
 65 ~~portion of the establishment is primarily devoted to such~~  
 66 ~~purpose;~~

67 ~~13. Any college or university facility unless the licensee~~  
 68 ~~is a registered student, employee, or faculty member of such~~  
 69 ~~college or university and the weapon is a stun gun or nonlethal~~  
 70 ~~electric weapon or device designed solely for defensive purposes~~  
 71 ~~and the weapon does not fire a dart or projectile;~~

72 ~~14. The inside of the passenger terminal and sterile area~~  
 73 ~~of any airport, provided that no person shall be prohibited from~~  
 74 ~~carrying any legal firearm into the terminal, which firearm is~~  
 75 ~~encased for shipment for purposes of checking such firearm as~~

76 ~~baggage to be lawfully transported on any aircraft; or~~  
 77 ~~15. Any place where the carrying of firearms is prohibited~~  
 78 ~~by federal law.~~

79 (a) ~~(b)~~ A person licensed under this section shall not be  
 80 prohibited from carrying or storing a firearm in a vehicle for  
 81 lawful purposes.

82 (b) ~~(c)~~ This section does not modify the terms or  
 83 conditions of s. 790.251(7).

84 ~~(d) Any person who knowingly and willfully violates any~~  
 85 ~~provision of this subsection commits a misdemeanor of the second~~  
 86 ~~degree, punishable as provided in s. 775.082 or s. 775.083.~~

87 Section 3. Subsection (2) of section 790.115, Florida  
 88 Statutes, is amended to read:

89 790.115 Possessing or discharging weapons or firearms at a  
 90 school-sponsored event or on school property prohibited;  
 91 penalties; exceptions.—

92 (2) (a) A person shall not possess any firearm, electric  
 93 weapon or device, destructive device, or other weapon as defined  
 94 in s. 790.001(13), including a razor blade or box cutter, except  
 95 as authorized in support of school-sanctioned activities, at a  
 96 school-sponsored event or on the property of any school, school  
 97 bus, or school bus stop; however, a person may carry a firearm:

98 1. In a case to a firearms program, class or function  
 99 which has been approved in advance by the principal or chief  
 100 administrative officer of the school as a program or class to

101 | which firearms could be carried;

102 |         2. In a case to a career center having a firearms training  
103 | range; ~~or~~

104 |         3. In a vehicle pursuant to s. 790.25(5); except that  
105 | school districts may adopt written and published policies that  
106 | waive the exception in this subparagraph for purposes of student  
107 | and campus parking privileges; or

108 |         4. If the person is licensed to carry a concealed weapon  
109 | or firearm under s. 790.06.

110 |  
111 | For the purposes of this section, "school" means any preschool,  
112 | elementary school, middle school, junior high school, secondary  
113 | school, career center, or postsecondary school, whether public  
114 | or nonpublic.

115 |         (b) A person who willfully and knowingly possesses any  
116 | electric weapon or device, destructive device, or other weapon  
117 | as defined in s. 790.001(13), including a razor blade or box  
118 | cutter, except as authorized in support of school-sanctioned  
119 | activities, in violation of this subsection commits a felony of  
120 | the third degree, punishable as provided in s. 775.082, s.  
121 | 775.083, or s. 775.084.

122 |         (c)1. A person who willfully and knowingly possesses any  
123 | firearm in violation of this subsection commits a felony of the  
124 | third degree, punishable as provided in s. 775.082, s. 775.083,  
125 | or s. 775.084.

126           2. A person who stores or leaves a loaded firearm within  
127 the reach or easy access of a minor who obtains the firearm and  
128 commits a violation of subparagraph 1. commits a misdemeanor of  
129 the second degree, punishable as provided in s. 775.082 or s.  
130 775.083; except that this does not apply if the firearm was  
131 stored or left in a securely locked box or container or in a  
132 location which a reasonable person would have believed to be  
133 secure, or was securely locked with a firearm-mounted push-  
134 button combination lock or a trigger lock; if the minor obtains  
135 the firearm as a result of an unlawful entry by any person; or  
136 to members of the Armed Forces, National Guard, or State  
137 Militia, or to police or other law enforcement officers, with  
138 respect to firearm possession by a minor which occurs during or  
139 incidental to the performance of their official duties.

140           (d) A person who discharges any weapon or firearm while in  
141 violation of paragraph (a), unless discharged for lawful defense  
142 of himself or herself or another or for a lawful purpose,  
143 commits a felony of the second degree, punishable as provided in  
144 s. 775.082, s. 775.083, or s. 775.084.

145           (e) A person ~~The penalties of this subsection shall not~~  
146 ~~apply to persons licensed under s. 790.06. Persons licensed~~  
147 ~~under s. 790.06 shall be punished as provided in s. 790.06(12),~~  
148 ~~except that a licenseholder~~ who unlawfully discharges a weapon  
149 or firearm on school property as prohibited by this subsection  
150 commits a felony of the second degree, punishable as provided in

151 s. 775.082, s. 775.083, or s. 775.084.

152 Section 4. Paragraph (c) of subsection (2) of section  
153 790.145, Florida Statutes, is amended to read:

154 790.145 Crimes in pharmacies; possession of weapons;  
155 penalties.—

156 (2) The provisions of this section do not apply:

157 (c) To any person licensed to carry a concealed weapon or  
158 firearm under s. 790.06.

159 Section 5. Subsection (7) of section 790.251, Florida  
160 Statutes, is amended to read:

161 790.251 Protection of the right to keep and bear arms in  
162 motor vehicles for self-defense and other lawful purposes;  
163 prohibited acts; duty of public and private employers; immunity  
164 from liability; enforcement.—

165 (7) EXCEPTIONS.—The prohibitions in subsection (4) do not  
166 apply to:

167 ~~(a) Any school property as defined and regulated under s.~~  
168 ~~790.115.~~

169 (a) ~~(b)~~ Any correctional institution regulated under s.  
170 944.47 or chapter 957.

171 (b) ~~(e)~~ Any property where a nuclear-powered electricity  
172 generation facility is located.

173 (c) ~~(d)~~ Property owned or leased by a public or private  
174 employer or the landlord of a public or private employer upon  
175 which are conducted substantial activities involving national

176 defense, aerospace, or homeland security.

177 (d)~~(e)~~ Property owned or leased by a public or private  
178 employer or the landlord of a public or private employer upon  
179 which the primary business conducted is the manufacture, use,  
180 storage, or transportation of combustible or explosive materials  
181 regulated under state or federal law, or property owned or  
182 leased by an employer who has obtained a permit required under  
183 18 U.S.C. s. 842 to engage in the business of importing,  
184 manufacturing, or dealing in explosive materials on such  
185 property.

186 (e)~~(f)~~ A motor vehicle owned, leased, or rented by a  
187 public or private employer or the landlord of a public or  
188 private employer.

189 (f)~~(g)~~ Any other property owned or leased by a public or  
190 private employer or the landlord of a public or private employer  
191 upon which possession of a firearm or other legal product by a  
192 customer, employee, or invitee is prohibited pursuant to any  
193 federal law, contract with a federal government entity, or  
194 general law of this state.

195 Section 6. This act shall take effect July 1, 2017.