

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Woodson offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 24 and 25, insert:

5 Section 2. Section 790.174, Florida Statutes, is amended  
6 to read:

7 790.174 Safe storage of firearms required.—

8 (1) (a) A person who stores or leaves, on a premise under  
9 his or her control, a ~~loaded~~ firearm, as defined in s. 790.001,  
10 and who knows or reasonably should know that a minor is likely  
11 to gain access to the firearm without the lawful permission of  
12 the minor's parent or the person having charge of the minor, or  
13 without the supervision required by law, shall keep the firearm

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14 in a securely locked box or container ~~or in a location which a~~  
15 ~~reasonable person would believe to be secure~~ or shall secure it  
16 with a trigger lock, except when the person is carrying the  
17 firearm on his or her body or within such close proximity  
18 thereto that he or she can retrieve and use it as easily and  
19 quickly as if he or she carried it on his or her body.

20 (b) A person who stores or leaves, on a premise under his  
21 or her control, a firearm, as defined in s. 790.001, and who  
22 knows or reasonably should know that a prohibited user is likely  
23 to gain access to the firearm, shall keep the firearm in a  
24 securely locked box or container or shall secure it with a  
25 trigger lock, except when the person is carrying the firearm on  
26 his or her body or within such close proximity thereto that he  
27 or she can retrieve and use the firearm as easily and quickly as  
28 if he or she carried it on his or her body. For the purposes of  
29 this section, the term "prohibited user" means any person who is  
30 prohibited by state or federal law from possessing the firearm.

31 (2) Except as provided in paragraphs (b) and (c), ~~It is a~~  
32 ~~misdemeanor of the second degree, punishable as provided in s.~~  
33 ~~775.082 or s. 775.083,~~ if a person violates subsection (1):

34 (a) It is a misdemeanor of the second degree, punishable  
35 as provided in s. 775.082 or s. 775.083.

36 (b) ~~by failing to store or leave a firearm in the required~~  
37 ~~manner And as a result thereof~~ If, as a result of the violation,  
38 a prohibited user or a minor gains access to the firearm,

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39 without the lawful permission of the minor's parent or the  
40 person having charge of the minor, and possesses or exhibits it,  
41 without the supervision required by law:

42 1.(a) In a public place; or

43 2.(b) In a rude, careless, angry, or threatening manner in  
44 violation of s. 790.10.

45  
46 A person who violates subsection (1) commits misdemeanor of the  
47 first degree, punishable as provided in s. 775.082 or s.  
48 775.083.

49 (c) The penalties provided in this section do not apply if  
50 the prohibited user or the minor obtains the firearm: This  
51 subsection does not apply

52 1. If the minor obtains the firearm As a result of an  
53 unlawful entry by any person.

54 2. While lawfully acting in self-defense or defense of  
55 another.

56 3. With the permission of the minor's parent or guardian  
57 and the minor uses or possesses the firearm during the minor's  
58 employment; ranching or farming; or target practice, hunting, or  
59 instruction in the safe use of a firearm.

60 (3) As used in this section ~~act~~, the term:

61 (a) "Locked box or container" means a secure container  
62 that is fully enclosed and locked by a padlock, key lock,  
63 combination lock, or similar locking device.

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64 (b) "Locking device" means a trigger lock, cable lock, or  
65 similar lock that prevents an unloaded firearm from discharging  
66 when properly engaged so as to render such weapon inoperable by  
67 any person other than the owner or other lawfully authorized  
68 user.

69 (c) "Minor" means any person under the age of 18 ~~16~~.

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**T I T L E A M E N D M E N T**

73 Remove lines 2-7 and insert:

74 An act relating to firearms; amending s. 790.065, F.S.;

75 reducing the minimum age at which a person may purchase a

76 firearm and the age of purchasers to which specified

77 licensees are prohibited from selling or transferring a

78 firearm; repealing an exception; amending s. 790.174, F.S.;

79 revising requirements for the safe storage of firearms;

80 providing and revising definitions; revising criminal

81 penalties for violations; providing exceptions; providing

82 definitions; providing an effective date.