

## CHAPTER 2012-108

### Committee Substitute for House Bill No. 463

An act relating to weapons or firearms; creating s. 790.062, F.S.; providing that otherwise qualified members and veterans of the United States Armed Forces be issued a concealed weapon or firearm license regardless of age in certain circumstances; providing additional methods for the taking of fingerprints from such license applicants; amending s. 790.015, F.S.; providing that members and veterans of the United States Armed Forces be granted reciprocity regardless of age; amending s. 790.15, F.S.; prohibiting reckless or negligent discharge of a firearm in certain locations; providing criminal penalties; providing an effective date.

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

Section 1. Section 790.062, Florida Statutes, is created to read:

790.062 Members and veterans of United States Armed Forces; exceptions from licensure provisions.—

(1) Notwithstanding s. 790.06(2)(b), the Department of Agriculture and Consumer Services shall issue a license to carry a concealed weapon or firearm under s. 790.06 if the applicant is otherwise qualified and:

(a) Is a servicemember, as defined in s. 250.01; or

(b) Is a veteran of the United States Armed Forces who was discharged under honorable conditions.

(2) The Department of Agriculture and Consumer Services shall accept fingerprints of an applicant under this section administered by any law enforcement agency, military provost, or other military unit charged with law enforcement duties or as otherwise provided for in 790.06(5)(c).

Section 2. Section 790.015, Florida Statutes, is amended to read:

790.015 Nonresidents who are United States citizens and hold a concealed weapons license in another state; reciprocity.—

(1) ~~Notwithstanding s. 790.01, a resident of the United States who is a nonresident of Florida may carry a concealed weapon or concealed firearm while in this state if the nonresident:~~

~~(a) Is 21 years of age or older; and~~

(b) Has in his or her immediate possession a valid license to carry a concealed weapon or concealed firearm issued to the nonresident in his or her state of residence.

(c) Is a resident of the United States.

(2) A nonresident is subject to the same laws and restrictions with respect to carrying a concealed weapon or concealed firearm as a resident of Florida who is so licensed.

(3) If the resident of another state who is the holder of a valid license to carry a concealed weapon or concealed firearm issued in another state establishes legal residence in this state by:

(a) Registering to vote;~~;~~ ~~or~~

(b) Making a statement of domicile pursuant to s. 222.17;~~;~~ or

(c) Filing for homestead tax exemption on property in this state,

the license shall remain in effect for 90 days following the date on which the holder of the license establishes legal state residence.

(4) This section applies only to nonresident concealed weapon or concealed firearm licenseholders from states that honor Florida concealed weapon or concealed firearm licenses.

(5) The requirement of paragraph (1)(a) does not apply to a person who:

(a) Is a servicemember, as defined in s. 250.01; or

(b) Is a veteran of the United States Armed Forces who was discharged under honorable conditions.

Section 3. Subsection (1) of section 790.15, Florida Statutes, is amended to read

790.15 Discharging firearm in public or on residential property.—

(1) Except as provided in subsection (2) or subsection (3), any person who knowingly discharges a firearm in any public place or on the right-of-way of any paved public road, highway, or street, who or whosoever knowingly discharges any firearm over the right-of-way of any paved public road, highway, or street or over any occupied premises, or who recklessly or negligently discharges a firearm outdoors on any property used primarily as the site of a dwelling as defined in s. 776.013 or zoned exclusively for residential use commits is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. This section does not apply to a person lawfully defending life or property or performing official duties requiring the discharge of a firearm or to a person discharging a firearm on public roads or properties expressly approved for hunting by the Fish and Wildlife Conservation Commission or Division of Forestry.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor April 13, 2012.

Filed in Office Secretary of State April 13, 2012.