

CHAPTER 2014-205

Committee Substitute for Committee Substitute for House Bill No. 523

An act relating to licensure to carry a concealed weapon or firearm; amending s. 790.06, F.S.; authorizing an applicant for a license to carry a concealed weapon or firearm to submit the application to an appointed tax collector; creating s. 790.0625, F.S.; defining terms; authorizing the Department of Agriculture and Consumer Services to appoint tax collectors to accept applications for new or renewal licenses to carry a concealed weapon or firearm on behalf of the Division of Licensing of the Department of Agriculture and Consumer Services; requiring a tax collector seeking appointment to submit a written request to the division; providing requirements for the request; requiring the division and an appointed tax collector to enter into a memorandum of understanding; authorizing the department or the division to rescind a memorandum of understanding at any time; providing that certain personal identifying information of applicants for licensure is confidential and exempt; establishing license fees for new and renewal applications; requiring an appointed tax collector to remit fees to the department; prohibiting a tax collector from maintaining a list or record of concealed weapon or firearm licensees or applicants; prohibiting a person from processing a concealed weapon or firearm application for a fee or compensation unless he or she has been appointed by the department to do so; providing for criminal penalties; providing an appropriation and authorizing positions; providing an effective date.

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

Section 1. Subsection (5) of section 790.06, Florida Statutes, is amended to read:

790.06 License to carry concealed weapon or firearm.—

(5) The applicant shall submit to the Department of Agriculture and Consumer Services or an approved tax collector pursuant to s. 790.0625:

(a) A completed application as described in subsection (4).

(b) A nonrefundable license fee of up to ~~not to exceed~~ \$70, if he or she has not previously been issued a statewide license; or of up to ~~a nonrefundable license fee not to exceed~~ \$60 for renewal of a statewide license. The cost of ~~Costs for~~ processing the set of fingerprints as required in paragraph (c) shall be borne by the applicant. However, an individual holding an active certification from the Criminal Justice Standards and Training Commission as a “law enforcement officer,” “correctional officer,” or “correctional probation officer” as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) is exempt from the licensing requirements of this section. If such ~~any individual holding an~~

~~active certification from the Criminal Justice Standards and Training Commission as a “law enforcement officer,” a “correctional officer,” or a “correctional probation officer” as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) wishes to receive a concealed weapons or firearms license, he or she such person is exempt from the background investigation and all background investigation fees, but must shall pay the current license fees regularly required to be paid by nonexempt applicants. Further, a law enforcement officer, a correctional officer, or a correctional probation officer as defined in s. 943.10(1), (2), or (3) is exempt from the required fees and background investigation for a period of 1 year after his or her subsequent to the date of retirement of said officer as a law enforcement officer, a correctional officer, or a correctional probation officer.~~

(c) A full set of fingerprints of the applicant administered by a law enforcement agency or the Division of Licensing of the Department of Agriculture and Consumer Services or an approved tax collector pursuant to s. 790.0625.

(d) A photocopy of a certificate, ~~or an affidavit,~~ or document as described in paragraph (2)(h).

(e) A full frontal view color photograph of the applicant taken within the preceding 30 days, in which the head, including hair, measures $\frac{7}{8}$ of an inch wide and $1\frac{1}{8}$ inches high.

Section 2. Section 790.0625, Florida Statutes, is created to read:

790.0625 Appointment of tax collectors to accept applications for a concealed weapon or firearm license; fees; penalties.-

(1) As used in this section, the term:

(a) “Department” means the Department of Agriculture and Consumer Services.

(b) “Division” means the Division of Licensing of the Department of Agriculture and Consumer Services.

(2) The department, at its discretion, may appoint tax collectors, as defined in s. 1(d) of Art. VIII of the State Constitution, to accept applications on behalf of the division for concealed weapon or firearm licenses. Such appointment shall be for specified locations that will best serve the public interest and convenience in applying for these licenses.

(3) A tax collector seeking to be appointed to accept applications for new or renewal concealed weapon or firearm licenses must submit a written request to the division stating his or her name, address, telephone number, each location within the county at which the tax collector wishes to accept applications, and other information as required by the division.

(a) Upon receipt of a written request, the division shall review it and at its discretion may decline to enter into a memorandum of understanding or, if approved, enter into a memorandum of understanding with the tax collector to accept applications for new or renewal concealed weapon or firearm licenses on behalf of the department.

(b) The department or the division may rescind a memorandum of understanding for any reason at any time.

(4) All personal identifying information that is provided pursuant to s. 790.06 and contained in the records of a tax collector appointed under this section is confidential and exempt as provided in s. 790.0601.

(5) A tax collector appointed under this section may collect and retain a convenience fee of \$22 for each new application and \$12 for each renewal application and shall remit weekly to the department the license fees pursuant to s. 790.06 for deposit in the Division of Licensing Trust Fund.

(6)(a) A tax collector appointed under this section may not maintain a list or record of persons who apply for or are granted a new or renewal license to carry a concealed weapon or firearm. A violation of this paragraph is subject to s. 790.335.

(b) A person may not handle an application for a concealed weapon or firearm for a fee or compensation of any kind unless he or she has been appointed by the department to do so.

(7) A person who willfully violates this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 3. For the 2014-2015 fiscal year, the sums of \$736,608 in recurring and \$105,503 in nonrecurring funds from the Division of Licensing Trust Fund are appropriated to the Department of Agriculture and Consumer Services, and 11 full-time equivalent positions with associated salary rate of 295,751 are authorized, for the purpose of implementing this act.

Section 4. This act shall take effect July 1, 2014.

Approved by the Governor June 20, 2014.

Filed in Office Secretary of State June 20, 2014.