

## CHAPTER 2025-120

### Committee Substitute for Committee Substitute for House Bill No. 383

An act relating to purchase and possession of firearms by law enforcement officers, correctional officers, correctional probation officers, and service-members; amending s. 790.052, F.S.; specifying that correctional probation officers have the right to carry concealed firearms during off-duty hours at the discretion of their superior officers; authorizing correctional probation officers to perform certain law enforcement functions under limited circumstances; revising the definition of the terms “qualified law enforcement officer” and “qualified retired law enforcement officer”; specifying that a correctional probation officer’s appointing or employing agency or department may limit the officer from carrying concealed firearms during off-duty hours in his or her capacity as an appointee or employee of the agency or department; specifying that a superior officer in the Department of Corrections who decides to direct the officers under his or her supervision to carry concealed firearms while off duty must file a certain statement with the department’s governing body; amending s. 790.0655, F.S.; revising exemptions from the mandatory waiting period between the purchase and delivery of a firearm; defining the term “holder of a concealed weapons or concealed firearms license”; providing an effective date.

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

Section 1. Section 790.052, Florida Statutes, is amended to read:

790.052 Carrying concealed firearms; off-duty law enforcement officers.

(1)(a) All persons holding active certifications from the Criminal Justice Standards and Training Commission as law enforcement officers, ~~or~~ correctional officers, or correctional probation officers as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) shall have the right to carry, on or about their persons, concealed firearms, during off-duty hours, at the discretion of their superior officers, and may perform those law enforcement functions that they normally perform during duty hours, utilizing their weapons in a manner which is reasonably expected of on-duty officers in similar situations.

(b) All persons holding an active certification from the Criminal Justice Standards and Training Commission as a law enforcement officer, ~~or~~ a correctional officer, or a correctional probation officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) meet the definition of “qualified law enforcement officer” in 18 U.S.C. s. 926B(c).

(c) All persons who held an active certification from the Criminal Justice Standards and Training Commission as a law enforcement officer, ~~or~~

correctional officer, or correctional probation officer as defined in s. 943.10(1), (2), ~~(3)~~, (6), (7), (8), or (9), while working for an employing agency, as defined in s. 943.10(4), but have separated from service under the conditions set forth in 18 U.S.C. s. 926C(c), meet the definition of “qualified retired law enforcement officer.”

(d) This section does not limit the right of a law enforcement officer, correctional officer, or correctional probation officer to carry a concealed firearm off duty as a private citizen under the exemption provided in s. 790.06 that allows a law enforcement officer, correctional officer, or correctional probation officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) to carry a concealed firearm without a concealed weapon or concealed firearm license or as otherwise provided by law. The appointing or employing agency or department of an officer carrying a concealed firearm as a private citizen is not liable for the use of the firearm in such capacity. This section does not limit the authority of the appointing or employing agency or department from establishing policies limiting law enforcement officers, ~~or~~ correctional officers, or correctional probation officers from carrying concealed firearms during off-duty hours in their capacity as appointees or employees of the agency or department.

(2) The superior officer of any police department, any ~~or~~ sheriff's office, ~~or~~ the Florida Highway Patrol, or the Department of Corrections, if he or she elects to direct the officers under his or her supervision to carry concealed firearms while off duty, shall file a statement with the governing body of such department of his or her instructions and requirements relating to the carrying of said firearms.

Section 2. Section 790.0655, Florida Statutes, is amended to read:

790.0655 Purchase and delivery of firearms; mandatory waiting period; exceptions; penalties.—

(1)(a) A mandatory waiting period is imposed between the purchase and delivery of a firearm. The mandatory waiting period is 3 days, excluding weekends and legal holidays, or expires upon the completion of the records checks required under s. 790.065, whichever occurs later. ~~“Purchase” means the transfer of money or other valuable consideration to the retailer. “Retailer” means and includes a licensed importer, licensed manufacturer, or licensed dealer engaged in the business of making firearm sales at retail or for distribution, or use, or consumption, or storage to be used or consumed in this state, as defined in s. 212.02(13).~~

(b) Records of firearm sales must be available for inspection by any law enforcement agency, as defined in s. 934.02, during normal business hours.

(2) The waiting period does not apply in the following circumstances:

(a) When a firearm is being purchased by a holder of a concealed weapons or concealed firearms license ~~issued under s. 790.06.~~

(b) To a trade-in of another firearm.

(c) To the purchase of a rifle or shotgun, upon a person's successfully completing a minimum of a 16-hour hunter safety course and possessing a hunter safety certification card issued under s. 379.3581. A person who is exempt from the hunter safety course requirements under s. 379.3581 and holds a valid Florida hunting license is exempt from the mandatory waiting period under this section for the purchase of a rifle or shotgun.

~~(d) When a rifle or shotgun is being purchased by a law enforcement officer or correctional officer, as those terms are defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), or a servicemember as defined in s. 250.01.~~

(3) It is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:

(a) For any retailer, or any employee or agent of a retailer, to deliver a firearm before the expiration of the waiting period, subject to the exceptions provided in subsection (2).

(b) For a purchaser to obtain delivery of a firearm by fraud, false pretense, or false representation.

(4) For purposes of this section, the term:

(a) "Holder of a concealed weapons or concealed firearms license" includes all of the following:

1. A person who holds a valid license issued under s. 790.06.

2. A law enforcement officer, correctional officer, or correctional probation officer as those terms are defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9).

3. A servicemember as defined in s. 250.01.

(b) "Purchase" means the transfer of money or other valuable consideration to the retailer.

(c) "Retailer" means and includes a licensed importer, licensed manufacturer, or licensed dealer engaged in the business of making firearm sales at retail or for distribution, or use, or consumption, or storage to be used or consumed in this state, as defined in s. 212.02(13).

Section 3. This act shall take effect July 1, 2025.

Approved by the Governor June 5, 2025.

Filed in Office Secretary of State June 5, 2025.