

CS/SB 300 – Weapons and Firearms (Identical CS/HB 163)

This bill amends s. 790.02, F.S. and s. 790.053, F.S. In the amendment to s. 790.02, F.S., a police officer's ability to make a warrantless arrest based on reasonable grounds is removed, requiring that it be based on probable cause. It also clarifies that the provisions apply to the "unlicensed" carrying of a concealed weapon. The penalty for carrying a concealed weapon is a 1st degree misdemeanor and the penalty for carrying a concealed firearm is a level 5, 3rd degree felony (s. 790.01, F.S.). Additionally, the amendment to s. 790.053, F.S., which currently prohibits any person, unless exempted, to openly carry firearms or weapons (2nd degree misdemeanor), would allow those with conceal carry licenses to openly carry firearms or weapons.

Per DOC, in FY 14-15, there were 1,320 (adj.) offenders sentenced under s. 790.01, F.S. and 174 (adj.) of these offenders were sentenced to prison (mean sentence length=24.4 m, incarceration rate: 13.2% adj.-13.2% unadj.). It is unknown how many of these offenders would be affected by this law.

CONFERENCE ADOPTED ESTIMATE: Negative Indeterminate

Requested by: House