

HB 709 – Discharging Firearms in Public or on Residential Property (Similar SB 922)

This bill amends s. 790.15(4), F.S., removing the requirement that an area "has a residential density of one or more dwelling units per acre" for the 1st degree misdemeanor to apply to "any person who recreationally discharges a firearm outdoors, including target shooting, in an area that the person knows or reasonably should know is primarily residential in nature." It also adds that the misdemeanor would not apply "to a person engaging in recreational shooting in an area that the person knows or reasonably should know is primarily residential in nature on a lot that is 5 acres or larger. A person engaging in target shooting on such a lot may only do so if the targets are in front of a dirt berm and backstop sufficient to stop projectiles from crossing into a neighboring property." Furthermore, this bill amends s. 810.09(2)(h), F.S., adding "in target shooting" to "knowingly propels or causes to be propelled any potentially lethal projectile over or across private land without authorization commits trespass," an unranked, 3rd degree felony. Currently, this language only applies to "any person who in taking or attempting to take any animal...or in killing, attempting to kill, or endangering any animal."

Per FDLE, there were 8 people arrested for a violation of s. 790.15(4), F.S., with 2 convictions and 2 adjudications withheld. Per DOC, in FY 17-18, no offenders were sentenced for knowingly propelling a potentially lethal projectile across private land while taking or killing any animal. It is not known how many additional offenders would be included under the felony with the expansion of violations in this bill.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

Requested by: House