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A bill to be entitled  
 An act relating to firearm purchases; amending s.  
 790.065, F.S.; requiring the Department of Law  
 Enforcement to include questions concerning a  
 potential firearm buyer's criminal history or other  
 information relating to the person's eligibility to  
 make the purchase on a standard form for potential  
 buyers; requiring the department to notify law  
 enforcement officials when a potential sale or  
 transfer receives a nonapproval number; providing  
 requirements for such notice; providing an effective  
 date.

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

Section 1. Paragraph (a) of subsection (1) of section  
 790.065, Florida Statutes, is amended to read:

790.065 Sale and delivery of firearms.—

(1)(a) A licensed importer, licensed manufacturer, or  
 licensed dealer may not sell or deliver from her or his  
 inventory at her or his licensed premises any firearm to another  
 person, other than a licensed importer, licensed manufacturer,  
 licensed dealer, or licensed collector, until she or he has:

1. Obtained a completed form from the potential buyer or  
 transferee, which form shall have been promulgated by the

26 Department of Law Enforcement and provided by the licensed  
27 importer, licensed manufacturer, or licensed dealer, which shall  
28 include the name, date of birth, gender, race, questions about  
29 the buyer's criminal history and other information relating to  
30 the potential buyer or transferee's eligibility to purchase a  
31 firearm, and social security number or other identification  
32 number of such potential buyer or transferee and has inspected  
33 proper identification including an identification containing a  
34 photograph of the potential buyer or transferee.

35 a. In any case in which records reviewed pursuant to  
36 subsection (2) indicate that the potential buyer or transferee  
37 is prohibited from having in her or his care, custody,  
38 possession or control any firearm under state or federal law and  
39 the potential transfer, sale, or purchase has received a  
40 nonapproval number, the Department of Law Enforcement shall send  
41 notification of such nonapproval to the correctional, law  
42 enforcement, prosecutorial, and other criminal justice agencies  
43 that have jurisdiction over the county where the attempted  
44 transfer or purchase was made.

45 b. The Department of Law enforcement shall, for each  
46 county, identify appropriate federal or state correctional, law  
47 enforcement, prosecutorial, and other criminal justice agencies  
48 to receive the notification described in sub-subparagraph a.

49 c. The notification described in sub-subparagraph a. shall  
50 include the identity of the potential buyer or transferee, the

51 identity of the licensee who made the inquiry, the date and time  
52 when a nonapproval number was issued, the prohibiting criteria  
53 for the nonapproval, and the location where the attempted  
54 purchase or transfer occurred.

55 d. The Department of Law Enforcement shall make the  
56 notification described in sub-subparagraph a. within one week  
57 after receipt of the notice of the nonapproval, and may  
58 aggregate any notifications required to be issued by sub-  
59 subparagraph a. and issue them together within the required time  
60 frame, except that a notification may be delayed for so long as  
61 necessary to avoid compromising an ongoing investigation.

62 e. The Department of Law Enforcement may make the  
63 notification required by sub-subparagraph a. in any form,  
64 including, but not limited to, by oral or written communication  
65 or by electronic means.

66 2. Collected a fee from the potential buyer for processing  
67 the criminal history check of the potential buyer. The fee shall  
68 be established by the Department of Law Enforcement and may not  
69 exceed \$8 per transaction. The Department of Law Enforcement may  
70 reduce, or suspend collection of, the fee to reflect payment  
71 received from the Federal Government applied to the cost of  
72 maintaining the criminal history check system established by  
73 this section as a means of facilitating or supplementing the  
74 National Instant Criminal Background Check System. The  
75 Department of Law Enforcement shall, by rule, establish

76 | procedures for the fees to be transmitted by the licensee to the  
77 | Department of Law Enforcement. All such fees shall be deposited  
78 | into the Department of Law Enforcement Operating Trust Fund, but  
79 | shall be segregated from all other funds deposited into such  
80 | trust fund and must be accounted for separately. Such segregated  
81 | funds must not be used for any purpose other than the operation  
82 | of the criminal history checks required by this section. The  
83 | Department of Law Enforcement, each year prior to February 1,  
84 | shall make a full accounting of all receipts and expenditures of  
85 | such funds to the President of the Senate, the Speaker of the  
86 | House of Representatives, the majority and minority leaders of  
87 | each house of the Legislature, and the chairs of the  
88 | appropriations committees of each house of the Legislature. In  
89 | the event that the cumulative amount of funds collected exceeds  
90 | the cumulative amount of expenditures by more than \$2.5 million,  
91 | excess funds may be used for the purpose of purchasing soft body  
92 | armor for law enforcement officers.

93 |         3. Requested, by means of a toll-free telephone call, the  
94 | Department of Law Enforcement to conduct a check of the  
95 | information as reported and reflected in the Florida Crime  
96 | Information Center and National Crime Information Center systems  
97 | as of the date of the request.

98 |         4. Received a unique approval number for that inquiry from  
99 | the Department of Law Enforcement, and recorded the date and  
100 | such number on the consent form.

HB 809

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101 | Section 2. This act shall take effect upon becoming a law. |