

1 A bill to be entitled
 2 An act relating to an exception to the waiting period
 3 for purchasing and delivering handguns; amending s.
 4 790.0655, F.S.; exempting the purchase of a handgun by
 5 a qualified law enforcement officer or a qualified
 6 retired law enforcement officer from the 3-day waiting
 7 period; providing a contingent effective date.

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

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11 Section 1. Section 790.0655, Florida Statutes, is amended
 12 to read:

13 790.0655 Purchase and delivery of handguns; mandatory
 14 waiting period; exceptions; penalties.—

15 (1) (a) There shall be a mandatory 3-day waiting period,
 16 which shall be 3 days, excluding weekends and legal holidays,
 17 between the purchase and the delivery at retail of any handgun.
 18 "Purchase" means the transfer of money or other valuable
 19 consideration to the retailer. "Handgun" means a firearm capable
 20 of being carried and used by one hand, such as a pistol or
 21 revolver. "Retailer" means and includes every person engaged in
 22 the business of making sales at retail or for distribution, or
 23 use, or consumption, or storage to be used or consumed in this
 24 state, as defined in s. 212.02(13).

25 (b) Records of handgun sales must be available for
 26 inspection by any law enforcement agency, as defined in s.

27 | 934.02, during normal business hours.

28 | (2) The 3-day waiting period does ~~shall~~ not apply in the
29 | following circumstances:

30 | (a) When a handgun is being purchased by a holder of a
31 | concealed weapon ~~weapons~~ permit as defined in s. 790.06 or by a
32 | qualified law enforcement officer or qualified retired law
33 | enforcement officer who has a firearms proficiency verification
34 | card authorized by s. 943.132.

35 | (b) To a trade-in of another handgun.

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

38 | (a) For any retailer, or any employee or agent of a
39 | retailer, to deliver a handgun before the expiration of the 3-
40 | day waiting period, subject to the exceptions provided in
41 | subsection (2).

42 | (b) For a purchaser to obtain delivery of a handgun by
43 | fraud, false pretense, or false representation.

44 | Section 2. This act shall take effect on the effective
45 | date of the amendment to the State Constitution proposed in HJR
46 | 1395 or a similar joint resolution, if approved by a vote of the
47 | electors in the general election held in November 2016 or at an
48 | earlier special election specifically authorized by law for such
49 | purpose.