

HB 1343

2021

1 A bill to be entitled
2 An act relating to issuance of licenses to carry
3 concealed weapons or firearms; amending s. 790.06,
4 F.S.; requiring the Department of Agriculture and
5 Consumer Services to continually maintain an online
6 application process for the issuance of licenses and
7 prohibiting the department from arbitrarily or
8 subjectively restricting access; providing for an
9 award of reasonable costs and attorney fees in
10 successful actions against the department to enforce
11 specified provisions; providing an effective date.

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

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15 Section 1. Subsection (15) of section 790.06, Florida
16 Statutes, is amended to read:

17 790.06 License to carry concealed weapon or firearm.—

18 (15) (a) The Legislature finds as a matter of public policy
19 and fact that it is necessary to provide statewide uniform
20 standards for issuing licenses to carry concealed weapons and
21 firearms for self-defense and finds it necessary to occupy the
22 field of regulation of the bearing of concealed weapons or
23 firearms for self-defense to ensure that no honest, law-abiding
24 person who qualifies under the provisions of this section is
25 subjectively or arbitrarily denied his or her rights.

26 (b) The Department of Agriculture and Consumer Services
27 shall implement and administer ~~the provisions of~~ this section.
28 The Department of Agriculture and Consumer Services must
29 continually maintain an online application process for the
30 issuance of licenses provided for in this section and may not
31 arbitrarily or subjectively restrict access to the online
32 application process. The Legislature does not delegate to the
33 Department of Agriculture and Consumer Services the authority to
34 regulate or restrict the issuing of licenses provided for in
35 this section, beyond those provisions contained in this section.
36 Subjective or arbitrary actions or rules which encumber the
37 issuing process by placing burdens on the applicant beyond those
38 sworn statements and specified documents detailed in this
39 section or which create restrictions beyond those specified in
40 this section are in conflict with the intent of this section and
41 are prohibited.

42 (c) In a civil action to enforce any provision of this
43 subsection, upon a finding of a violation by the Department of
44 Agriculture and Consumer Services, the court shall award the
45 prevailing party reasonable attorney fees and costs in addition
46 to any other relief.

47 (d) This section shall be liberally construed to carry out
48 the constitutional right to bear arms for self-defense. This
49 section is supplemental and additional to existing rights to
50 bear arms, and nothing in this section shall impair or diminish

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51 | such rights.

52 | Section 2. This act shall take effect July 1, 2021.