



682026

CRC ACTION

Commissioner

.

.

.

Floor: WD

.

03/19/2018 06:10 PM

.

.

---

Commissioner Martinez moved the following:

**CRC Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Sections 2 and 8 of Article I of the State Constitution  
are amended to read:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 2. Basic rights.—

All natural persons, female and male alike, are equal



682026

11 before the law and have inalienable rights, among which are the  
12 right to enjoy and defend life and liberty, to pursue happiness,  
13 to be rewarded for industry, and to acquire, possess and protect  
14 property; ~~except that the ownership, inheritance, disposition~~  
15 ~~and possession of real property by aliens ineligible for~~  
16 ~~citizenship may be regulated or prohibited by law.~~ No person  
17 shall be deprived of any right because of race, religion,  
18 national origin, or physical disability.

19 SECTION 8. Right to bear arms.—

20 (a) The right of the people to keep and bear arms in  
21 defense of themselves and of the lawful authority of the state  
22 shall not be infringed, except that the manner of bearing arms  
23 may be regulated by law.

24 (b) A purchaser of a firearm must be at least twenty-one  
25 years of age. The sale or transfer of a firearm to a person  
26 younger than twenty-one years of age shall not be made or  
27 facilitated by a licensed importer, licensed manufacturer, or  
28 licensed dealer. The prohibitions of this subsection do not  
29 apply to the purchase of a rifle or shotgun by a law enforcement  
30 officer, a correctional officer, or a servicemember.

31 (c) There shall be a mandatory waiting period of three  
32 days, excluding weekends and legal holidays, between the  
33 purchase and delivery at retail of any firearm handgun. A  
34 comprehensive background check as prescribed by Florida law  
35 shall occur during this period. The mandatory waiting period  
36 shall be three days, excluding weekends and legal holidays, or  
37 expires upon the completion of the comprehensive background  
38 check, whichever occurs later. The mandatory waiting period  
39 shall not apply in the following circumstances:



682026

40 (1) The purchase of a firearm by a holder of a license to  
41 carry a concealed weapon or firearm as prescribed by Florida  
42 law.

43 (2) The trade in of another firearm.

44 (3) The purchase of a rifle or shotgun by a person who has  
45 successfully completed a hunter safety course as prescribed by  
46 Florida law.

47 (4) The purchase of a rifle or shotgun by a law enforcement  
48 officer, a correctional officer, or a servicemember.

49 (d) No person shall import into this state or transfer,  
50 distribute, sell, keep for sale, offer for sale, possess, or  
51 give to another person a bump-fire stock.

52 (e) For the purposes of this section, the term "purchase"  
53 means the transfer of money or other valuable consideration to  
54 the retailer, and the term "bump-fire stock" means a conversion  
55 kit, a tool, an accessory, or a device used to alter the rate of  
56 a firearm to mimic automatic weapon fire or which is used to  
57 increase the rate of fire to a faster rate than is possible for  
58 a person to fire a semiautomatic firearm unassisted by a kit, a  
59 tool, an accessory, or a device. "handgun" means a firearm  
60 capable of being carried and used by one hand, such as a pistol  
61 or revolver. Holders of a concealed weapon permit as prescribed  
62 in Florida law shall not be subject to the provisions of this  
63 paragraph.

64 (f) ~~(e)~~ The legislature shall enact legislation  
65 implementing subsections ~~subsection~~ (b), (c), and (d) of this  
66 section, effective no later than December 31, ~~2019~~ 1991, which  
67 shall provide that anyone violating the provisions of  
68 subsections ~~subsection~~ (b), (c), or (d) shall be guilty of a



682026

69 felony.

70 ~~(d) This restriction shall not apply to a trade in of~~  
71 ~~another handgun.~~

72

73 ===== T I T L E A M E N D M E N T =====

74 And the title is amended as follows:

75 Delete everything before the enacting clause  
76 and insert:

77

A proposal to amend

78

Sections 2 and 8 of Article I of the State

79

Constitution to remove a provision authorizing laws

80

that regulate or prohibit the ownership, inheritance,

81

disposition, and possession of real property by aliens

82

ineligible for citizenship, to limit the age to

83

purchase a firearm to at least twenty-one years of

84

age, to require three days between the purchase and

85

delivery of a firearm, to require a comprehensive

86

background check during the period between the

87

purchase and delivery of a firearm as prescribed by

88

law, and to prohibit specified acts relating to the

89

sale and possession of a bump-fire stock.