

1 A bill to be entitled
 2 An act relating to firearm safety devices; providing a
 3 short title; creating s. 790.176, F.S.; defining
 4 terms; requiring that a firearm sold or transferred in
 5 this state by a licensed firearms dealer or
 6 manufactured in this state include or be accompanied
 7 by a firearm safety device meeting specified
 8 requirements; providing exceptions for a firearms
 9 purchaser who owns a gun safe that meets specified
 10 requirements or who shows proof of purchase of an
 11 approved safety device meeting certain requirements or
 12 presents such device; requiring the Department of
 13 Agriculture and Consumer Services to adopt rules for
 14 firearm safety devices and gun safes; requiring that a
 15 long-gun safe commercially sold or transferred in this
 16 state, or manufactured in this state for sale in this
 17 state, that does not meet the standards for gun safes
 18 be accompanied by a specified warning label; providing
 19 an effective date.

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

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 23 Section 1. This act may be cited as "Apollo's Law."

24 Section 2. Section 790.176, Florida Statutes, is created
 25 to read:

26 790.176 Firearm safety device requirements.—

27 (1) As used in this section, the term:

28 (a) "Department" means the Department of Agriculture and

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29 Consumer Services.

30 (b) "Firearm safety device" means a device that, when
31 installed on a firearm, is designed to prevent the firearm from
32 being operated without first deactivating the device. The term,
33 in accordance with rules adopted by the department pursuant to
34 subsection (4), may include, but is not limited to, a lock box,
35 cable lock, or gun case that is designed to be unlocked only by
36 means of a key, a combination, or other similar means.

37 (2) A firearm sold or transferred in this state by a
38 licensed firearms dealer, including a private transfer through a
39 dealer, and a firearm manufactured in this state for sale in
40 this state, shall include or be accompanied by a firearm safety
41 device that is listed on the department's roster of approved
42 firearm safety devices. The device shall be identified as
43 appropriate for the firearm by reference to either the
44 manufacturer and model of the firearm or to the physical
45 characteristics of the firearm that match those listed on the
46 roster.

47 (3) Subsection (2) does not apply to the sale or transfer
48 of a firearm, if:

49 (a)1. The purchaser or transferee owns a gun safe that
50 meets the standards adopted pursuant to subsection (4). A gun
51 safe is not required to be tested and, therefore, may meet such
52 standards without appearing on the department's roster; and

53 2. The purchaser or transferee presents an original
54 receipt for purchase of the gun safe, or other proof of purchase
55 or ownership of the gun safe as authorized by the department, to
56 the firearms dealer. The dealer shall maintain a copy of the

57 | receipt or proof of purchase together with the dealer's records
58 | of sales of firearms; or

59 | (b)1. The purchaser or transferee purchases an approved
60 | safety device within 30 days before the purchaser or transferee
61 | takes possession of the firearm;

62 | 2. The purchaser or transferee presents the approved
63 | safety device to the firearms dealer when picking up the
64 | firearm;

65 | 3. The purchaser or transferee presents an original
66 | receipt to the firearms dealer, which shows the date of
67 | purchase, the name, and the model number of the safety device;

68 | 4. The firearms dealer verifies that the requirements of
69 | subparagraphs 1.-3. have been satisfied; and

70 | 5. The firearms dealer maintains a copy of the receipt
71 | together with the dealer's records of sales of firearms.

72 | (4) (a) The department shall adopt rules to be effective
73 | January 1, 2015, to implement a minimum safety standard for
74 | firearm safety devices and gun safes to significantly reduce the
75 | risk of firearm-related injuries to children 17 years of age and
76 | younger. The final safety standard shall do the following:

77 | 1. Address the risk of injury from unintentional gunshot
78 | wounds.

79 | 2. Address the risk of injury from self-inflicted gunshot
80 | wounds by unauthorized users.

81 | 3. Ensure that approved firearm safety devices and gun
82 | safes are reusable and of adequate quality and construction to
83 | prevent children and unauthorized users from firing the firearm
84 | and to ensure that these devices cannot be readily removed from

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85 the firearm or that the firearm cannot be readily removed from
86 the gun safe except by an authorized user using the key,
87 combination, or other method of access intended by the
88 manufacturer of the device.

89 (b)1. A long-gun safe commercially sold or transferred in
90 this state, or manufactured in this state for sale in this
91 state, that does not meet the standards for gun safes adopted
92 pursuant to this subsection must be accompanied by the following
93 warning:

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95 "WARNING: This gun safe does not meet the safety standards
96 for gun safes specified in s. 790.176, Florida Statutes. It
97 does not satisfy the requirement that all firearms sold in
98 Florida be accompanied by a firearm safety device or proof
99 of ownership, as required by law, of a gun safe that meets
100 the minimum safety standards adopted by the Florida
101 Department of Agriculture and Consumer Services."

102
103 2. This warning shall be conspicuously displayed in its
104 entirety on the principal display panel of the gun safe's
105 package, on any descriptive materials that accompany the gun
106 safe, and on a label affixed to the front of the gun safe.

107 3. This warning shall be displayed in both English and
108 Spanish, in conspicuous and legible type in contrast by
109 typography, layout, or color with other printed matter on the
110 package or descriptive materials, in a manner consistent with 16
111 C.F.R. s. 1500.121.

112 Section 3. This act shall take effect July 1, 2014.