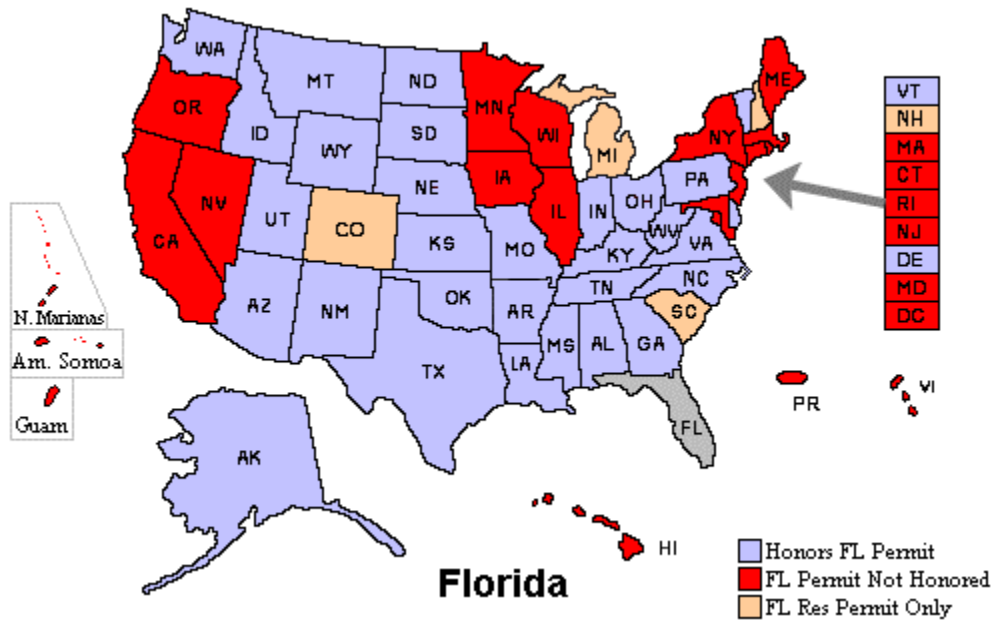


# Florida

Shall Issue

Must Inform Officer: **NO**



## Links

[State CCW Site](#)

State CCW Pamphlet

[CCW Application](#)

[State FAQ Site](#)

[State Statutes](#)

[State Admin Rules](#)

[State Reciprocity Info](#)

[State Attorney General](#)

[App. Instructions](#)

[Secretary of State](#)

Last Updated: 6/3/10

## Permits/Licenses This State Honors

Alabama	Alaska	Arizona	Arkansas	Colorado	Delaware
Georgia	Idaho	Indiana	Kansas	Kentucky	Louisiana
Michigan	Mississippi	Missouri	Montana	New Hampshire	Nebraska
New Mexico	North Carolina	North Dakota	Ohio	Oklahoma	Pennsylvania
South Carolina	South Dakota	Tennessee	Texas	Utah	Virginia
Washington	West Virginia	Wyoming			

**Florida will only honor permits from residents of the states they honor. They will not honor a Non-Resident permit from any state they honor.**

## How to Apply for A Permit

Obtain an Application for Concealed Weapon or Firearm License by filling out [an online request form for applications](#) or by contacting any of our offices. The application packet includes the form to be filled out, a copy of Chapter 790, Florida Statutes, a fingerprint card, and a return envelope for the completed application. The information provided below is an overview of the application process. Additional information is provided in the [application instructions](#) booklet included with your application.

- Read and study the copy of Chapter 790, Florida Statutes.
- Have a passport-style, color photograph made.
- Get verification of training that satisfies the training requirement. The application lists acceptable documents. Make a photocopy to send with the application as an original cannot be returned. Persons serving in the United States Armed Forces may submit a copy of their Military ID Card to satisfy the training requirement.
- Get certified copies of court documents relating to any criminal charges against you.
- Take the fingerprint card to a local law enforcement agency and ask to be fingerprinted. In addition to providing fingerprinting services for the traditional "hard-card" format, electronic fingerprint devices are available at almost all 67 county sheriff's offices in the state. Visit the

[Electronic Fingerprints Information page](#) to learn how Live Scan fingerprinting saves processing time.

- Complete the application. Either print clearly with ink or type the information.
- In the presence of a notary, sign application.
- Submit a check or money order for the license fee payable to the Florida Department of Agriculture and Consumer Services. This fee is not refundable.
- Assemble everything:
  - Envelope
  - Fee
  - Photograph
  - Fingerprint card or proof that your fingerprints were submitted [electronically](#) by the sheriff's office using Live Scan (along with proof that you paid the sheriff's office or the Florida Department of Law Enforcement for the service).
  - Proof of training
  - Certified court documents (if any)
  - Application with notarized signature
- Mail to Florida Department of Agriculture and Consumer Services, Division of Licensing, P.O. Box 6687, Tallahassee, FL 32314.

## Non-Resident Permits

Non-Residents apply the same way as residents. Follow the instructions in the Resident permit section.

## Places Off-Limits Even With A Permit/License

### [790.06 \(12\)](#) License to Carry Concealed Weapon or Firearm

- Any place of nuisance as defined in s. 823.05
- any police, sheriff, or highway patrol station;
- any detention facility, prison, or jail;
- any courthouse; any courtroom, except that nothing in this section would preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his or her courtroom;
- any polling place;
- any meeting of the governing body of a county, public school district, municipality, or special district;
- any meeting of the Legislature or a committee thereof;
- any school, college, or professional athletic event not related to firearms;
- any school administration building;
- any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose;
- any elementary or secondary school facility;
- any area vocational-technical center;
- any college or university facility unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or non-lethal electric weapon or device designed solely for defensive purposes and the weapon does not fire a dart or projectile;
- inside the passenger terminal and sterile area of any airport, provided that no person shall be prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; or
- any place where the carrying of firearms is prohibited by federal law

## 394.458

(1)(a) Except as authorized by law or as specifically authorized by the person in charge of each hospital providing mental health services under this part, it is unlawful to introduce into or upon the grounds of such hospital, or to take or attempt to take or send there from, any of the following articles, which are hereby declared to be contraband for the purposes of this section:

1. Any intoxicating beverage or beverage which causes or may cause an intoxicating effect;
2. Any controlled substance as defined in chapter 893; or
3. Any firearms or deadly weapon.

(b) It is unlawful to transmit to, or attempt to transmit to, or cause or attempt to cause to be transmitted to, or received by, any patient of any hospital providing mental health services under this part any article or thing declared by this section to be contraband, at any place which is outside of the grounds of such hospital, except as authorized by law or as specifically authorized by the person in charge of such hospital.

(2) A person who violates any provision of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Florida Statute 823.05 defines a place of nuisance as a "place which tends to annoy the community or injure the health of the community...or any house or place of prostitution, assignation, lewdness or place or building where games of chance are engaged in violation of law or any place where any law of the state is violated."

## **Parking Lot Storage Law**

### **790.251 Protection of the right to keep and bear arms in motor vehicles for self-defense and other lawful purposes; prohibited acts; duty of public and private employers; immunity from liability; enforcement.--**

(1) SHORT TITLE.--This section may be cited as the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008."

(2) DEFINITIONS.--As used in this section, the term:

(a) "Parking lot" means any property that is used for parking motor vehicles and is available to customers, employees, or invitees for temporary or long-term parking or storage of motor vehicles.

(b) "Motor vehicle" means any automobile, truck, minivan, sports utility vehicle, motor home, recreational vehicle, motorcycle, motor scooter, or any other vehicle operated on the roads of this state and required to be registered under state law.

(c) "Employee" means any person who possesses a valid license issued pursuant to s. [790.06](#) and:

1. Works for salary, wages, or other remuneration;
2. Is an independent contractor; or
3. Is a volunteer, intern, or other similar individual for an employer.

(d) "Employer" means any business that is a sole proprietorship, partnership, corporation, limited liability company, professional association, cooperative, joint venture, trust, firm, institution, or association, or public sector entity, that has employees.

(e) "Invitee" means any business invitee, including a customer or visitor, who is lawfully on the premises of a public or private employer.

As used in this section, the term "firearm" includes ammunition and accoutrements attendant to the lawful possession and use of a firearm.

(3) LEGISLATIVE INTENT; FINDINGS.--This act is intended to codify the long-standing legislative policy of the state that individual citizens have a constitutional right to keep and bear arms, that they have a constitutional right to possess and keep legally owned firearms within their motor vehicles for self-defense and other lawful purposes, and that these rights are not abrogated by virtue of a citizen becoming a customer, employee, or invitee of a business entity. It is the finding of the Legislature that a citizen's lawful possession, transportation, and secure keeping of firearms and ammunition within his or her motor vehicle is essential to the exercise of the fundamental constitutional right to keep and bear arms and the constitutional right of self-defense. The Legislature finds that protecting and preserving these rights is essential to the exercise of freedom and individual responsibility. The Legislature further finds that no citizen can or should be required to waive or abrogate his or her right to possess and securely keep firearms and ammunition locked within his or her motor vehicle by virtue of becoming a customer, employee, or invitee of any employer or business establishment within the state, unless specifically required by state or federal law.

(4) PROHIBITED ACTS.--No public or private employer may violate the constitutional rights of any customer, employee, or invitee as provided in paragraphs (a)-(e):

(a) No public or private employer may prohibit any customer, employee, or invitee from possessing any legally owned firearm when such firearm is lawfully possessed and locked inside or locked to a private motor vehicle in a parking lot and when the customer, employee, or invitee is lawfully in such area.

(b) No public or private employer may violate the privacy rights of a customer, employee, or invitee by verbal or written inquiry regarding the presence of a firearm inside or locked to a private motor vehicle in a parking lot or by an actual search of a private motor vehicle in a parking lot to ascertain the presence of a firearm within the vehicle. Further, no public or private employer may take any action against a customer, employee, or invitee based upon verbal or written statements of any party concerning possession of a firearm stored inside a private motor vehicle in a parking lot for lawful purposes. A search of a private motor vehicle in the parking lot of a public or private employer to ascertain the presence of a firearm within the vehicle may only be conducted by on-duty law enforcement personnel, based upon due process and must comply with constitutional protections.

(c) No public or private employer shall condition employment upon either:

1. The fact that an employee or prospective employee holds or does not hold a license issued pursuant to s. [790.06](#); or

2. Any agreement by an employee or a prospective employee that prohibits an employee from keeping a legal firearm locked inside or locked to a private motor vehicle in a parking lot when such firearm is kept for lawful purposes.

(d) No public or private employer shall prohibit or attempt to prevent any customer, employee, or invitee from entering the parking lot of the employer's place of business because the customer's, employee's, or invitee's private motor vehicle contains a legal firearm being carried for lawful purposes, that is out of sight within the customer's, employee's, or invitee's private motor vehicle.

(e) No public or private employer may terminate the employment of or otherwise discriminate against an employee, or expel a customer or invitee for exercising his or her constitutional right to keep and bear arms or for exercising the right of self-defense as long as a firearm is never exhibited on company property for any reason other than lawful defensive purposes.

This subsection applies to all public sector employers, including those already prohibited from regulating firearms under the provisions of s. [790.33](#).

(5) DUTY OF CARE OF PUBLIC AND PRIVATE EMPLOYERS; IMMUNITY FROM LIABILITY.--

(a) When subject to the provisions of subsection (4), a public or private employer has no duty of care related to the actions prohibited under such subsection.

(b) A public or private employer is not liable in a civil action based on actions or inactions taken in compliance with this section. The immunity provided in this subsection does not apply to civil actions based on actions or inactions of public or private employers that are unrelated to compliance with this section.

(c) Nothing contained in this section shall be interpreted to expand any existing duty, or create any additional duty, on the part of a public or private employer, property owner, or property owner's agent.

(6) ENFORCEMENT.--The Attorney General shall enforce the protections of this act on behalf of any customer, employee, or invitee aggrieved under this act. If there is reasonable cause to believe that the aggrieved person's rights under this act have been violated by a public or private employer, the Attorney General shall commence a civil or administrative action for damages, injunctive relief and civil penalties, and such other relief as may be appropriate under the provisions of s. [760.51](#), or may negotiate a settlement with any employer on behalf of any person aggrieved under the act. However, nothing in this act shall prohibit the right of a person aggrieved under this act to bring a civil action for violation of rights protected under the act. In any successful action brought by a customer, employee, or invitee aggrieved under this act, the court shall award all reasonable personal costs and losses suffered by the aggrieved person as a result of the violation of rights under this act. In any action brought pursuant to this act, the court shall award all court costs and attorney's fees to the prevailing party.

(7) EXCEPTIONS.--The prohibitions in subsection (4) do not apply to:

(a) Any school property as defined and regulated under s. [790.115](#).

(b) Any correctional institution regulated under s. [944.47](#) or chapter 957.

(c) Any property where a nuclear-powered electricity generation facility is located.

(d) Property owned or leased by a public or private employer or the landlord of a public or private employer upon which are conducted substantial activities involving national defense, aerospace, or homeland security.

(e) Property owned or leased by a public or private employer or the landlord of a public or private employer upon which the primary business conducted is the manufacture, use, storage, or transportation of combustible or explosive materials regulated under state or federal law, or property owned or leased by an employer who has obtained a permit required under 18 U.S.C. s. 842 to engage in the business of importing, manufacturing, or dealing in explosive materials on such property.

(f) A motor vehicle owned, leased, or rented by a public or private employer or the landlord of a public or private employer.

(g) Any other property owned or leased by a public or private employer or the landlord of a public or private employer upon which possession of a firearm or other legal product by a customer, employee, or invitee is prohibited pursuant to any federal law, contract with a federal government entity, or general law of this state.

History.--s. 1, ch. 2008-7.

1Note.--Section 2, ch. 2008-7, provides that "[t]his act shall take effect July 1, 2008, and shall apply to causes of action accruing on or after that date."

## Carry In State Parks/State & National Forests/WMA/Road Side Rest Areas

### Carry Allowed in these Areas:

**State Parks:** YES 790.25

**State/National Forests:** YES 790.25

**WMA's:** YES

**Road Side Rest Areas:** YES

## RV/Car Carry Without A Permit/License

### 790.25 Lawful Ownership, Possession, and Use of Firearms and Other Weapons

(5) POSSESSION IN PRIVATE CONVEYANCE.--Notwithstanding subsection (2), it is lawful and is not a violation of s. 790.01 for a person 18 years of age or older to possess a concealed firearm or other weapon for self-defense or other lawful purpose within the interior of a private conveyance, without a license, if the firearm or other weapon is securely encased or is otherwise not readily accessible for immediate use. Nothing herein contained prohibits the carrying of a legal firearm other than a handgun anywhere in a private conveyance when such firearm is being carried for a lawful use. Nothing herein contained shall be construed to authorize the carrying of a concealed firearm or other weapon on the person. This subsection shall be liberally construed in favor of the lawful use, ownership, and possession of firearms and other weapons, including lawful self-defense as provided in s. 776.012.

**790.001 Definitions.**--As used in this chapter, except where the context otherwise requires:

(17) "Securely encased" means in a glove compartment, whether or not locked; snapped in a holster; in a gun case, whether or not locked; in a zippered gun case; or in a closed box or container which requires a lid or cover to be opened for access

## State Preemption

**790.33** Field of Regulation of Firearms and Ammunition Preempted.

(1) PREEMPTION.

Except as expressly provided by general law, the Legislature hereby declares that it is occupying the whole field of regulation of firearms and ammunition, including the purchase, sale, transfer, taxation, manufacture, ownership, possession, and transportation thereof, to the exclusion of all existing and future county, city, town, or municipal ordinances or regulations relating thereto. Any such existing ordinances are hereby declared null and void. This subsection shall not affect zoning ordinances which encompass firearms businesses along with other businesses. Zoning ordinances which are designed for the purpose of restricting

or prohibiting the sale, purchase, transfer, or manufacture of firearms or ammunition as a method of regulating firearms or ammunition are in conflict with this subsection and are prohibited.

**(2) LIMITED EXCEPTION; COUNTY WAITING-PERIOD ORDINANCES.**

**(a)** Any county may have the option to adopt a waiting-period ordinance requiring a waiting period of up to, but not to exceed, 3 working days between the purchase and delivery of a handgun. For purposes of this subsection, "purchase" means payment of deposit, payment in full, or notification of intent to purchase. Adoption of a waiting-period ordinance, by any county, shall require a majority vote of the county commission on votes on waiting-period ordinances. This exception is limited solely to individual counties and is limited to the provisions and restrictions contained in this subsection.

**(b)** Ordinances authorized by this subsection shall apply to all sales of handguns to individuals by a retail establishment except those sales to individuals exempted in this subsection. For purposes of this subsection, "retail establishment" means a gun shop, sporting goods store, pawn shop, hardware store, department store, discount store, bait or tackle shop, or any other store or shop that offers handguns for walk-in retail sale but does not include gun collectors shows or exhibits, or gun shows.

**(c)** Ordinances authorized by this subsection shall not require any reporting or notification to any source outside the retail establishment, but records of handgun sales must be available for inspection, during normal business hours, by any law enforcement agency as defined in s. 934.02.

**(d)** The following shall be exempt from any waiting period:

- 1.** Individuals who are licensed to carry concealed firearms under the provisions of s. 790.06 or who are licensed to carry concealed firearms under any other provision of state law and who show a valid license;
- 2.** Individuals who already lawfully own another firearm and who show a sales receipt for another firearm; who are known to own another firearm through a prior purchase from the retail establishment; or who have another firearm for trade-in;
- 3.** A law enforcement or correctional officer as defined in s.943.10;
- 4.** A law enforcement agency as defined in s. 934.02;
- 5.** Sales or transactions between dealers or between distributors or between dealers and distributors who have current federal firearms licenses; or
- 6.** Any individual who has been threatened or whose family has been threatened with death or bodily injury, provided the individual may lawfully possess a firearm and provided such threat has been duly reported to local law enforcement.

**(3) POLICY AND INTENT.**

**(a)** It is the intent of this section to provide uniform firearms laws in the state; to declare all ordinances and regulations null and void which have been enacted by any jurisdictions other than state and federal, which regulate firearms, ammunition, or components thereof; to prohibit the enactment of any future ordinances or regulations relating to firearms, ammunition, or components thereof unless specifically authorized by this section or general law; and to require local jurisdictions to enforce state firearms laws.

(b) As created by chapter 87-23, Laws of Florida, this section shall be known and may be cited as the "Joe Carlucci Uniform Firearms Act."

## Deadly Force Laws

### Chapter 776

#### Justifiable Use of Force

**776.012** Use of force in defense of person.

**776.031** Use of force in defense of others.

**776.041** Use of force by aggressor.

**776.05** Law enforcement officers; use of force in making an arrest.

**776.051** Use of force in resisting or making an arrest; prohibition.

**776.06** Deadly force.

**776.07** Use of force to prevent escape.

**776.08** Forcible felony.

**776.085** Defense to civil action for damages; party convicted of forcible or attempted forcible felony.

## Knife Laws State/Cities

To access State/Local Knife Laws Click ["Here"](#)

## Carry in Restaurants That Serve Alcohol

**YES**

**Note: What is defined as carry in a restaurant that serves alcohol is a place like Friday's or Red Lobster. This does not mean a bar or the bar area of a restaurant. Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some states it is illegal to take even one drink while carrying a firearm.**

## Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws

### Stun Guns/Electric Weapons:

#### **790.001 (4)(b) Definitions.**

A nonlethal stun gun or dart-firing stun gun or other nonlethal electric weapon or device that is designed solely for defensive purposes. (Note: Non Lethal is the word that makes this law)

#### **790.001 (3)(b) Definitions.**

(b) "Tear gas gun" or "chemical weapon or device" means any weapon of such nature, except a device known as a "self-defense chemical spray." "Self-defense chemical spray" means a device carried solely for purposes of lawful self-defense that is compact in size, designed to be carried on or about the person, and contains not more than two ounces of chemical.

#### **790.01 Carrying concealed weapons.**

(4) It is not a violation of this section for a person to carry for purposes of lawful self-defense, in a concealed manner:

- (a) A self-defense chemical spray.
- (b) A nonlethal stun gun or dart-firing stun gun or other nonlethal electric weapon or device that is designed solely for defensive purposes.

## LEOSA State Information

### [Information on LEOSA](#)

### [AG Legal Opinion on LEOSA for FL Officers](#)

## Attorney General Opinions/Court Cases

### [FL AG Legal Opinion on Preemption](#)

## Airport Carry/Misc. Information

**Airport Carry:** Not inside the passenger terminal and sterile area 790.06 (12)

**Training Valid for:** No time limit.

**Time Period to Establish Residency:** None. See Law

**Minimum Age for Permit/License:** 21

**Permit/License Info Public Information:** NO

**State Fire arm Laws:** XLVI-790.001 thru .336

**State Deadly Force Laws:** XLVI-776.12 thru .085

**State Knife Laws:** XLVI-790-06 & 18 & 115 & 225

**Chemical/Electric Weapons Laws:** XLVI-790.01

**Body Armor Laws:** 775.0846

**Does Your Permit Cover Other Weapons Besides Firearms?** YES 790.06

## Updates to this Page

4/13/09 – Parking Lot storage law added

4/19/09 – Broken link to forms repaired.

6/8/09 – Broken Link Repaired

6/30/09 – Reciprocity Map updated with change in KS and Non Resident Permit/Licenses

7/1/09 – FL drops NV from lists of states it honors.

7/7/09 – Links Repaired

8/3/09 – Map changed to show that ND will only honor FL Resident Permits.

8/19/09 – All Links checked and repaired if broken.

8/31/09 – Map showing ND will honor a FL non resident permit updated. NE now honors FL permit and FL FL will honor a NE permit.

**11/17/09** – LA Will no longer honor a FL Non Resident Permit.

**11/21/09** – LA State Police were told that they could not make the decision to not honor just the FL Non-Resident Permit. LA State Police removed the wording and will honor a FL Non Resident permit.

**11/29/09** – Chemical/Electric Weapons Section updated.

**12/26/09** – VT does not issue permits. Error Removed.

**1/22/10** – AG Opinion on Preemption Added

**2/10/10** – AG Opinion on LEOSA Carry Added.

**3/8/10** – FL now honors a Washington State Permit/License

**6/3/10** – Wording on non residents permits they honor updated to be easier to understand.