

SB 206 – Unlawful Possession of Firearms, Ammunition, or Electric Weapons or Devices (Similar CS/HB 489)

This bill amends s. 790.23, F.S., adding the following language for determining when “it is unlawful for any person to own or to have in his or her care, custody, possession, or control any firearm, ammunition, or electric weapon or device, or to carry a concealed weapon, including a tear gas gun or chemical weapon or device,” as follows (new language in bold): “**Adjudicated delinquent** in the courts of this state, **if the** delinquent act would be a felony if committed by an adult and such person is under 24 years of age...**adjudicated** delinquent in another state, territory, or country **for committing an act** that would be a felony if committed by an adult and which was punishable by imprisonment for a term exceeding 1 year and such person is under 24 years of age.” Currently, this language applies to both those previously adjudicated delinquent and those with prior adjudications withheld. Therefore, this new language could reduce the new commitments under s. 790.23, F.S. by no longer applying to those with prior adjudications withheld.

Per FDLE, in FY 22-23, there were 38 convicted offenders receiving state prison sentences who had a prior juvenile adjudication withheld on a felony-level charge. FDLE does not have similar information for those with prior adjudications withheld from out of state.

CONFERENCE ADOPTED ESTIMATE: Negative Significant

Requested by: House