A bill to be entitled
An act relating to carrying a concealed weapon or a
concealed firearm; amending s. 790.01, F.S.; providing
an exemption from criminal penalties for carrying a
concealed weapon or a concealed firearm when complying
with a mandatory evacuation order during a declared
state of emergency; providing an effective date.

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

Section 1. Section 790.01, Florida Statutes, is amended to
read:

790.01 Carrying concealed weapons or concealed firearms.—
(1) Except as provided in subsection (3), a person who
carries a concealed weapon or electric weapon or device on or
about his or her person commits a misdemeanor of the first
degree, punishable as provided in s. 775.082 or s. 775.083.

(2) Except as provided in subsection (3), a person who
carries a concealed firearm on or about his or her person
commits a felony of the third degree, punishable as provided in
s. 775.082, s. 775.083, or s. 775.084.

(3) This section does not apply to:

(a) A person licensed to carry a concealed weapon or a
concealed firearm pursuant to the provisions of s. 790.06.

(b) A person who carries a concealed weapon or a person
who may lawfully possess a firearm and who carries a concealed
firearm on or about his or her person while complying with a mandatory evacuation order issued during a state of emergency declared by the Governor pursuant to chapter 252.

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

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

(4)(5) This section does not preclude any prosecution for the use of an electric weapon or device, a dart-firing stun gun, or a self-defense chemical spray during the commission of any criminal offense under s. 790.07, s. 790.10, s. 790.23, or s. 790.235, or for any other criminal offense.

Section 2. This act shall take effect July 1, 2014.