

1 A proposal to revise
2 ARTICLE VIII, s. 5, Fla. Const.; authorizing
3 each county to require a background check and
4 waiting period in connection with the sale of
5 any firearm; defining the term "sale."
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7 It is proposed by the Florida Constitution Revision Commission
8 that:
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10 Section 1. Section 5 of Article VIII of the Florida
11 Constitution is revised by amending that section to read:
12 ARTICLE VIII
13 LOCAL GOVERNMENT
14 SECTION 5. Local option.--
15 (a) Local option on the legality or prohibition of the
16 sale of intoxicating liquors, wines or beers shall be
17 preserved to each county. The status of a county with respect
18 thereto shall be changed only by vote of the electors in a
19 special election called upon the petition of twenty-five per
20 cent of the electors of the county, and not sooner than two
21 years after an earlier election on the same question. Where
22 legal, the sale of intoxicating liquors, wines and beers shall
23 be regulated by law.
24 (b) Each county shall have the authority to require a
25 criminal history records check and a waiting period of not
26 less than 3 days, nor more than 5 days, excluding weekends and
27 legal holidays, in connection with the sale of any firearm
28 occurring within such county. For purposes of this subsection,
29 the term "sale" means the transfer of money or other valuable
30 consideration for any firearm when any part of the transaction
31 is conducted on property to which the public has the right of

1 access. Holders of a concealed weapons permit as prescribed in
2 Florida law shall not be subject to the provisions of this
3 subsection when purchasing a firearm.
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