



117574

CRC ACTION

Commissioner

.

.

.

Floor: 2/00

.

03/21/2018 02:35 PM

.

.

---

Commissioner Smith moved the following:

1           **CRC Amendment (with title amendment)**

2  
3           Delete everything after the proposal clause  
4 and insert:

5           Sections 2 and 8 of Article I of the State Constitution are  
6 amended to read:

7                           ARTICLE I

8                                       DECLARATION OF RIGHTS

9           SECTION 2. Basic rights.—

10           All natural persons, female and male alike, are equal  
11 before the law and have inalienable rights, among which are the



117574

12 right to enjoy and defend life and liberty, to pursue happiness,  
13 to be rewarded for industry, and to acquire, possess and protect  
14 property; ~~except that the ownership, inheritance, disposition~~  
15 ~~and possession of real property by aliens ineligible for~~  
16 ~~citizenship may be regulated or prohibited by law.~~ No person  
17 shall be deprived of any right because of race, religion,  
18 national origin, or physical disability.

19 SECTION 8. Right to bear arms.—

20 (a) The right of the people to keep and bear arms in  
21 defense of themselves and of the lawful authority of the state  
22 shall not be infringed, except that the manner of bearing arms  
23 may be regulated by law.

24 (b) There shall be a mandatory period of three days,  
25 excluding weekends and legal holidays, between the purchase and  
26 delivery at retail of any handgun. For the purposes of this  
27 section, "purchase" means the transfer of money or other  
28 valuable consideration to the retailer, and "handgun" means a  
29 firearm capable of being carried and used by one hand, such as a  
30 pistol or revolver. Holders of a concealed weapon permit as  
31 prescribed in Florida law shall not be subject to the provisions  
32 of this paragraph.

33 (c) The legislature shall enact legislation implementing  
34 subsection (b) of this section, effective no later than December  
35 31, 1991, which shall provide that anyone violating the  
36 provisions of subsection (b) shall be guilty of a felony.

37 (d) This restriction shall not apply to a trade in of  
38 another handgun.

39 (e) The sale or transfer of assault weapons, as defined in  
40 this subsection, is prohibited. The legislature may enact



41 legislation consistent with this subsection, and may provide  
42 exceptions to the prohibition on the transfer of assault weapons  
43 legally possessed prior to the effective date of this  
44 subsection. For the purposes of this section, the term  
45 "transfer" means the conveyance of an assault weapon from a  
46 person or entity to another person or entity, without any  
47 associated conveyance of money or other valuable consideration,  
48 and the term "assault weapon" means a semiautomatic rifle that  
49 is able to accept a detachable magazine, belt, drum, feed strip,  
50 or similar device that is capable of holding more than ten  
51 rounds of ammunition, or that has a fixed magazine capable of  
52 holding more than ten rounds of ammunition.

53 ===== T I T L E A M E N D M E N T =====

54 And the title is amended as follows:

55 Delete everything before the proposal clause  
56 and insert:

57 A proposal to amend  
58 Sections 2 and 8 of Article I of the State Constitution to  
59 remove a provision authorizing laws that regulate or prohibit  
60 the ownership, inheritance, disposition, and possession of real  
61 property by aliens ineligible for citizenship, and to prohibit  
62 the sale and transfer of assault weapons.