

what is the concealed carry law in florida

what is the concealed carry law in florida is a question frequently asked by residents and visitors who want to understand firearm regulations in the state. Florida has specific statutes governing the carrying of concealed firearms, which are designed to balance public safety with individual rights. These laws include requirements for obtaining a concealed carry permit, restrictions on where concealed weapons may be carried, and provisions regarding reciprocity with other states. Understanding the nuances of Florida's concealed carry law is crucial for lawful firearm possession and use. This article provides a comprehensive overview of the legal framework, application process, prohibited locations, and other essential regulations related to concealed carry in Florida. The following sections will explore these topics in detail to give a clear and authoritative guide on the subject.

- Overview of Florida Concealed Carry Law
- Requirements for Obtaining a Concealed Carry Permit
- Places Where Concealed Carry is Prohibited
- Reciprocity and Recognition of Out-of-State Permits
- Legal Responsibilities and Use of Force

Overview of Florida Concealed Carry Law

The concealed carry law in Florida is governed primarily by the Florida Statutes, particularly Chapter 790, which covers weapons and firearms. Under these laws, individuals may legally carry a concealed weapon or firearm if they possess a valid concealed carry permit, commonly known as a concealed weapons license (CWL). Florida is a "shall issue" state, meaning the Department of Agriculture and Consumer Services is required to issue a permit to an applicant who meets all legal criteria. The law aims to regulate the possession of concealed firearms while protecting the rights of law-abiding citizens.

Definition of Concealed Carry

In Florida, concealed carry refers to the carrying or transporting of a weapon or firearm in a manner that is not visible to others. This contrasts with open carry, which is generally prohibited in Florida except in limited circumstances. Concealed carry allows individuals to carry firearms discreetly for self-defense purposes.

Legal Basis and Statutes

The primary legal authority for concealed carry in Florida is found in Florida Statutes Sections 790.01 through 790.06. These sections outline the process for applying for a concealed weapons license, eligibility requirements, and restrictions on carrying concealed

firearms.

Requirements for Obtaining a Concealed Carry Permit

To legally carry a concealed weapon in Florida, an individual must obtain a concealed carry permit issued by the state. The application process involves several steps and specific eligibility criteria designed to ensure public safety.

Eligibility Criteria

Applicants must meet the following basic requirements:

- Be at least 21 years old (exceptions apply for military personnel aged 18 and older)
- Be a U.S. citizen or a permanent resident alien
- Have no felony convictions or certain misdemeanor convictions involving violence or firearms
- Not be prohibited from possessing firearms under federal or state law
- Demonstrate competency with a firearm (through training or prior military service)
- Be mentally and physically capable of safely handling a firearm

Application Process

Applicants must complete an online or paper application through the Florida Department of Agriculture and Consumer Services. The process includes:

- Submitting fingerprints for a background check
- Paying a non-refundable application fee
- Providing proof of firearms training or competency
- Undergoing a criminal background check by the Florida Department of Law Enforcement and the FBI

Upon approval, the permit is typically valid for seven years and must be renewed before expiration.

Places Where Concealed Carry is Prohibited

Even with a valid concealed carry permit, there are specific locations where carrying a

concealed firearm is prohibited under Florida law. These restrictions are intended to protect sensitive areas and maintain public safety.

Restricted Locations

Florida law prohibits carrying concealed weapons in the following places:

- Federal facilities, including federal courthouses and post offices
- State and local government buildings that post prohibitive signage
- Schools and school grounds, including colleges and universities (with some exceptions for certain personnel)
- Places of worship, if prohibited by the governing authority
- Pollution control facilities and nuclear power plants
- Airports beyond security checkpoints
- Certain bars and establishments that derive more than 50% of their income from alcohol sales

Signage and Notification Requirements

Property owners and government entities may post signs prohibiting concealed carry on their premises. These signs must meet specific size and wording requirements to be enforceable. Failure to comply with posted prohibitions can result in criminal penalties.

Reciprocity and Recognition of Out-of-State Permits

Florida recognizes concealed carry permits issued by certain other states under reciprocity agreements. This recognition allows non-residents with valid permits from qualifying states to carry concealed firearms legally while in Florida.

States Recognized by Florida

The Florida Department of Agriculture and Consumer Services maintains an updated list of states whose concealed carry permits are recognized. Typically, these states have comparable licensing requirements and background checks.

Limitations for Non-Residents

Non-residents carrying concealed weapons in Florida must carry their original out-of-state permit and comply with all Florida laws concerning concealed carry. They are subject to the same restrictions on prohibited locations and conduct as Florida permit holders.

Legal Responsibilities and Use of Force

Possessing a concealed carry permit in Florida entails significant legal responsibilities, including understanding the state's laws on the use of force and self-defense.

Use of Force and Self-Defense Laws

Florida's "Stand Your Ground" law allows individuals to use force, including deadly force, in self-defense without a duty to retreat when they reasonably believe such force is necessary to prevent harm. Concealed carry permit holders must be aware of these provisions and ensure any use of a firearm aligns with legal standards.

Storage and Transportation Requirements

Permit holders must also adhere to rules regarding the safe storage and transportation of firearms. For example, when transporting a firearm in a vehicle without a permit, the weapon must be securely encased or otherwise not readily accessible.

Penalties for Violations

Violating concealed carry laws in Florida can result in severe penalties, including fines, permit revocation, and criminal charges. It is essential for permit holders to stay informed about current laws and comply fully with all regulations.

Frequently Asked Questions

What is the basic requirement to obtain a concealed carry permit in Florida?

To obtain a concealed carry permit in Florida, applicants must be at least 21 years old, complete a firearms training course, pass a background check, and submit an application to the Florida Department of Agriculture and Consumer Services.

Can non-residents apply for a concealed carry permit in Florida?

Yes, Florida allows non-residents to apply for a concealed carry permit as long as they meet the eligibility requirements and complete the necessary training and background checks.

Are there any places where concealed carry is prohibited in Florida?

Yes, concealed carry is prohibited in certain places such as schools, government buildings, courthouses, polling places, and private properties that post signs prohibiting firearms.

Does Florida recognize concealed carry permits from other states?

Florida recognizes concealed carry permits from all other U.S. states and territories, allowing permit holders to carry concealed firearms while in Florida.

Is a background check required when purchasing a firearm in Florida for concealed carry?

Yes, Florida law requires a background check for all firearm purchases from licensed dealers, regardless of whether the buyer has a concealed carry permit.

What are the penalties for carrying a concealed weapon without a permit in Florida?

Carrying a concealed weapon without a valid permit in Florida is a third-degree felony, which may result in fines, imprisonment, and loss of the right to possess firearms.

Additional Resources

1. Florida Concealed Carry Law Explained

This comprehensive guide breaks down the intricacies of Florida's concealed carry laws for both new and experienced gun owners. It covers the application process, legal requirements, and restrictions on carrying concealed weapons. Readers will find clear explanations of their rights and responsibilities under Florida law.

2. Understanding Your Florida Concealed Weapon Permit

This book offers a step-by-step approach to obtaining and maintaining a concealed weapon permit in Florida. It includes practical advice on firearms safety, legal updates, and how to avoid common legal pitfalls. A must-read for anyone considering carrying a concealed firearm in the state.

3. The Legal Guide to Concealed Carry in Florida

Focused on the legal aspects, this book provides detailed analysis of Florida statutes, case law, and recent changes affecting concealed carry. It helps readers understand permissible locations, use of force laws, and how to act responsibly while carrying concealed. Lawyers and gun owners alike will find this guide invaluable.

4. Florida Self-Defense and Concealed Carry

This book explores the intersection of self-defense laws and concealed carry regulations in Florida. It discusses when and how force can be legally used in self-defense and the implications of carrying a concealed weapon. The author provides real-life scenarios to illustrate key legal concepts.

5. Concealed Carry Handbook for Florida Residents

Designed as a practical manual, this handbook covers everything from selecting the right firearm to understanding Florida's concealed carry permit process. It also includes tips on safe storage, transportation, and staying compliant with state laws. Ideal for both beginners

and seasoned carriers.

6. Florida Gun Laws: A Concealed Carry Perspective

This book offers an in-depth look at Florida's gun laws with a special focus on concealed carry regulations. It explains how state laws interact with federal regulations and what that means for gun owners. The author also addresses common misconceptions and legal challenges.

7. Safe and Legal Concealed Carry in Florida

Emphasizing safety and legality, this book guides readers on responsible concealed carry practices within Florida. It covers legal dos and don'ts, conflict avoidance, and how to handle encounters with law enforcement. Practical advice is supported by up-to-date legal references.

8. Florida Concealed Carry: Rights and Restrictions

This title outlines the rights granted by Florida's concealed carry laws as well as the restrictions imposed on permit holders. It delves into areas where concealed carrying is prohibited, permit renewal procedures, and penalties for violations. The book is an essential resource for understanding the balance of rights and responsibilities.

9. Concealed Carry Training and Florida Law

Combining training techniques with legal education, this book serves as a dual resource for concealed carry permit holders in Florida. It discusses effective firearms handling, situational awareness, and the legal framework governing concealed carry. Readers will gain both practical skills and legal knowledge.

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