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Florida Attorney General's Office News Release

Attorney General Moody Releases Legal Opinion Following Gun Rights Infringement by ATF



TALLAHASSEE, Fla.—Attorney General Ashley Moody today released a legal opinion regarding the use of stabilizing braces for handguns in Florida. The Attorney General issued the opinion in response to a request from Representative Shane Abbott to provide clarity on Florida law following a recently released Bureau of Alcohol, Tobacco Firearms and Explosives interpretation of a federal law. The ATF interpretation subjects handguns with stabilizing braces to National Firearms Act controls. Attorney General Moody issued an opinion on a similarly worded provision of Florida law concluding that stabilizing braces are not short-barreled rifles.

Attorney General Ashley Moody said, “The Second Amendment is alive and well in Florida and our state laws protect the gun rights of law-abiding citizens. We issued this important legal opinion to provide clarity about our state law as the federal government continues to overreach in an effort to over-regulate certain firearm accessories.”

The Attorney General opinion deals solely with Florida state law and has no bearing on the ATF’s action. The opinion states: “Unless and until judicially or legislatively clarified, I conclude that the definition of ‘short-barreled rifle,’ which the Legislature enacted in 1969, does not include

a handgun, such as a pistol, to which a person attaches a stabilizing brace, because the use of such an optional accessory does not change the fundamental characteristics of the handgun.” Separately, the State of Florida is challenging the [ATF interpretation](#).

Read the full opinion [here](#).

For more information on the Attorney General legal opinion process, click [here](#).

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