State parks, possession of firearm

Number: INFORMAL

Date: December 13, 2006

The Honorable Bill Posey
Senator, District 24
316 Senate Office Building
404 South Monroe Street
Tallahassee, Florida 32399-1100

Dear Senator Posey:

This is in response to your recent request for assistance in determining whether a person violating Rule 62D-2.014(10), Florida Administrative Code, prohibiting the possession of a firearm while in a state park is protected under section 790.25(4), Florida Statutes.

House Bill 1029, passed during the 2006 legislative session, directs the Department of Environmental Protection to repeal Rule 62D-2.014, which currently prohibits the possession of a firearm in a state park. It also repeals section 790.11, Florida Statutes, which prohibits the possession of a firearm in a national forest. House Bill 1029 was signed by the Governor on June 7, 2006, and will become effective on October 1, 2006, as Chapter 2006-103, Laws of Florida.

It would appear that passage of House Bill 1029 and its enactment as law resolve the matter that you have raised. Please contact this office should you need our assistance in the future.

Sincerely,

L. Clayton Roberts
Deputy Attorney General