



RICK SCOTT
GOVERNOR

June 28, 2013

Secretary Kenneth W. Detzner
Secretary of State
Florida Department of State
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Detzner:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby sign and transmit Committee Substitute for Committee Substitute for House Bill 1355, enacted during the 115th Session of the Legislature of Florida, during the Regular Session of 2013 and entitled:

An act relating to the purchase of firearms by mentally ill persons....

This bill prohibits the purchase of firearms by persons admitted to a mental institution who have been determined to be a danger to themselves or other following a Baker Act examination and review by the courts.

The right to keep and bear arms is a fundamental right of every citizen. It is a right that is protected by the Bill of Rights and I am a strong supporter of the Second Amendment. During the 2012 GOP Convention, I was asked to issue a temporary executive order to override laws that allow people to carry concealed weapons, which I denied because it was unclear how disarming law-abiding citizens would better protect them from the dangers and threats posed by those who would flout the law. Additionally, I've signed legislation protecting the privacy of firearm owners and stopping local governments from overreaching in the regulation of firearms.

Reasonable parameters on firearm purchases must be set forth in state law to ensure public safety. Current state and federal laws prohibit persons that are adjudicated mentally defective or committed to a mental institution from purchasing a firearm from licensed firearms dealers, until the court determines the individual is no longer a danger to public safety. Since 2002, just under 100,000 individuals have been disqualified from purchasing a firearm based on court adjudications of mentally defective or mental commitments. These common sense parameters balance the rights

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of individuals to purchase firearms with society's reasonable expectation of public safety.

Mental health and second amendment advocates worked together to produce this bill that does not affect persons voluntarily seeking mental health exams or treatments but rather closes a loophole in current law that could potentially put firearms in the hands of dangerous, mentally ill individuals who are a threat to themselves or others as determined by a court. As Marion Hammer of the National Rifle Association stated, "The problem is that some of these dangerous people immediately revoke their voluntary agreement as soon as they reach the treatment facility and must be released within 24 hours. And they do it repeatedly. The system is failing. People with mental illnesses, who are known to be a danger to self or others, are not being stopped from purchasing firearms."

Under current law, individuals examined for mental illness under the Baker Act and found to be an imminent danger to themselves or others, who are involuntarily committed to a mental institution, are prohibited from purchasing firearms. This bill further protects Floridians by also prohibiting persons voluntarily admitted to a mental institution after being examined under the Baker Act and found to be an imminent danger to themselves or others.

Those who are prohibited from purchasing guns under this bill may have their gun rights restored by filing a petition with a court and demonstrating they are no longer likely to act in a dangerous manner. Upon having their rights restored, their disqualifying information is removed. Other states, such as Virginia and Mississippi, have passed similar laws to ensure the protections of their citizens and visitors.

I commend the National Rifle Association Past President, Marion Hammer, and Representative Watson on their hard work to address a critical public safety issue following the all too frequent gun violence tragedies throughout our nation.

For the reasons stated above, I hereby sign Committee Substitute for Committee Substitute for House Bill 1355 into law.

Sincerely,



Rick Scott
Governor

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COMMISSIONER OF STATE
TALLAHASSEE, FLORIDA
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