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LEGISLATIVE ACTION

Senate

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House

The Committee on Commerce and Tourism (Gruters) recommended the following:

Senate Amendment (with title amendment)

Between lines 114 and 115
insert:

Section 2. Present subsection (7) of section 514.0115, Florida Statutes, is redesignated as subsection (8), and a new subsection (7) is added to that section, to read:

514.0115 Exemptions from supervision or regulation;
variances.—

(7) A surf pool that is larger than 4 acres is exempt from



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supervision under this chapter provided that it is permitted by
a local government pursuant to a special use permit process in
which the local government asserts regulatory authority over the
construction of the surf pool and, in consultation with the
department, establishes through the local government's special
use permitting process the conditions for the surf pool's
operation, water quality, and necessary lifesaving equipment.
This subsection does not affect the department's or a county
health department's right of entry pursuant to s. 514.04 or its
authority to seek an injunction pursuant to s. 514.06 to
restrain the operation of a surf pool permitted and operated
under this subsection if it presents significant risks to public
health. For the purposes of this subsection, the term "surf
pool" means a pool designed to generate waves dedicated to the
activity of surfing on a surfboard or analogous surfing device
commonly used in the ocean and intended for sport, as opposed to
general play intent for wave pools, other large-scale public
swimming pools, or other public bathing places.

Section 3. Subsection (7) of section 553.77, Florida
Statutes, is amended to read:

553.77 Specific powers of the commission.—

(7) Building officials shall recognize and enforce variance
orders issued by the Department of Health pursuant to s.
514.0115(8) ~~s. 514.0115(7)~~, including any conditions attached to
the granting of the variance.

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

And the title is amended as follows:

Delete line 17



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40 and insert:
41 qualified target industry businesses; amending s.
42 514.0115, F.S.; exempting certain surf pools from
43 supervision under ch. 514, F.S.; providing exceptions,
44 defining the term "surf pool"; amending s. 553.77,
45 F.S.; conforming a cross-reference to changes made by
46 the act; providing an