

THE FLORIDA SENATE
2020 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/CS/CS/SB 140 — Fireworks

by Rules Committee; Banking and Insurance Committee; Community Affairs Committee; and Senators Hutson and Bradley

The bill provides an exemption from the prohibition of fireworks usage during designated holidays. The designated holidays are Independence Day, July 4; New Year's Eve, December 31; and New Year's Day, January 1. Currently, the sale and use of fireworks are generally prohibited in Florida, unless used solely and exclusively in frightening birds from agricultural works and fish hatcheries pursuant to s. 791.07, F.S.

The bill is not intended to provide for the comprehensive regulation of fireworks as described in s. 10(5), ch. 2007-67, L.O.F., or to supersede any local government regulation relating to the use of fireworks. Thus, the bill maintains current prohibitions on the opening of new fireworks permanent retail sales facilities and the issuance of permits for fireworks temporary retail sales facilities in greater numbers than were permitted in 2006, while also preserving the enactment of certain local government ordinances on fireworks.

In addition, the bill is not intended to supersede any fireworks prohibition within executed and recorded covenants or covenants running with the land of a ch. 720, F.S., homeowners' association. However, a homeowners' association, through a board of directors, may not promulgate rules that attempt to abrogate a homeowner's right to use fireworks during a designated holiday or under general law.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 82-34