

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 4171 Bonfires

SPONSOR(S): Ray

TIED BILLS: None **IDEN./SIM. BILLS:** None

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Agriculture & Natural Resources Subcommittee	13 Y, 0 N	Cunningham	Blalock
2) State Affairs Committee			

SUMMARY ANALYSIS

Current law provides that anyone concerned in causing or making a bonfire within 10 rods¹ of any house or building shall be guilty of a misdemeanor of the second degree punishable by a term of imprisonment not to exceed 60 days imprisonment or a fine not to exceed \$500.

Presently, bonfires are typically regulated by local ordinances. The statute is antiquated and not necessary.

The bill repeals this section.

The bill does not appear to have a fiscal impact on state or local governments.

¹ A rod is a unit of land measurement. One rod is equal to 16.5 feet.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Current law provides that anyone concerned in causing or making a bonfire within 10 rods of any house or building shall be guilty of a misdemeanor of the second degree punishable by a term of imprisonment not to exceed 60 days imprisonment or a fine not to exceed \$500.²

Presently, bonfires are regulated by local ordinances. The statute is antiquated and not necessary.

Effect of Proposed Changes

The bill repeals s. 823.02, F.S.

B. SECTION DIRECTORY:

Section 1: Repeals s. 823.02, F.S.

Section 2: Provides an effective date of July 1, 2012.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

² S. 775.082 and s. 775.083, F.S.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.