



701806

LEGISLATIVE ACTION

Senate

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House

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The Committee on Regulated Industries (Steube) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 15 - 16

and insert:

Section 1. Sections 791.013, 791.015, and 791.03, Florida Statutes are repealed.

Section 2. Section 791.02, Florida Statutes, is amended to read:

791.02 Sale of fireworks regulated; rules and regulations.—

(1) ~~Except as hereinafter provided~~ It—it is unlawful for



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11 any person, firm, copartnership, or corporation to offer for  
12 sale, expose for sale, sell at retail, or use or explode any  
13 fireworks; provided that the board of county commissioners shall  
14 have power to adopt reasonable rules and regulations for the  
15 granting of permits for supervised public display of fireworks  
16 by fair associations, amusement parks, and other organizations  
17 or groups of individuals when such public display is to take  
18 place outside of any municipality; provided, further, that the  
19 governing body of any municipality shall have power to adopt  
20 reasonable rules and regulations for the granting of permits for  
21 supervised public display of fireworks within the boundaries of  
22 any municipality. Every such display shall be handled by a  
23 competent operator to be approved by the chiefs of the police  
24 and fire departments of the municipality in which the display is  
25 to be held, and shall be of such a character, and so located,  
26 discharged, or fired as in the opinion of the chief of the fire  
27 department, after proper inspection, shall not be hazardous to  
28 property or endanger any person. Application for permits shall  
29 be made in writing at least 15 days in advance of the date of  
30 the display. After such privilege shall have been granted,  
31 sales, possession, use, and distribution of fireworks for such  
32 display shall be lawful for that purpose only. No permit granted  
33 hereunder shall be transferable.

34 (2) No person, firm, copartnership, or corporation may sell  
35 any fireworks to any person under 18 years of age. A sparkler or  
36 other product authorized for sale under this chapter may not be  
37 sold by a retailer or seasonal retailer unless the product was  
38 obtained from a manufacturer, distributor, or wholesaler  
39 registered with the division pursuant to s. 791.015. Each



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40 ~~retailer and seasonal retailer shall keep, at every location~~  
41 ~~where sparklers are sold, a copy of an invoice or other evidence~~  
42 ~~of purchase from the manufacturer, distributor, or wholesaler,~~  
43 ~~which states the registration certificate number for the~~  
44 ~~particular manufacturer, distributor, or wholesaler and the~~  
45 ~~specific items covered by the invoice. Each seasonal retailer~~  
46 ~~shall, in addition, exhibit a copy of his or her registration~~  
47 ~~certificate at each seasonal retail location.~~

48 (3) The State Fire Marshal may adopt rules governing  
49 fireworks under this chapter.

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

53 And the title is amended as follows:

54 Delete line 6

55 and insert:

56 retailers of sparklers, respectively; amending s.