A bill to be entitled
An act relating to fireworks; creating s. 791.08,
F.S.; defining the term “designated holiday”;
providing an exemption for the use of fireworks solely
and exclusively during a designated holiday; providing
construction; providing legislative intent;
prohibiting homeowners’ associations from promulgating
certain rules or regulations; providing an effective
date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 791.08, Florida Statutes, is created to
read:

791.08 Use during designated holidays; exemption.—
(1) As used in this section, the term “designated holiday”
means:
(a) New Year’s Day, January 1;
(b) Independence Day, July 4; or
(c) New Year’s Eve, December 31.
(2) This chapter does not prohibit the use of fireworks
solely and exclusively during a designated holiday. This section
is not intended to provide for the comprehensive regulation of
fireworks as described in s. 10(5), chapter 2007-67, Laws of
Florida, or to supersede any local governmental regulation
relating to the use of fireworks as provided in s. 10(5),
(3) The Legislature does not intend for the application of
this section to supersede any prohibition against the use of
fireworks contained within a legally executed and properly
recorded declaration of covenants or covenant running with the
land of any homeowners' association pursuant to chapter 720.
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.

Section 2. This act shall take effect upon becoming a law.