

By Representative Silver

1 A bill to be entitled
2 An act relating to explosive materials;
3 requiring that the State Fire Marshal propose
4 legislation and rules to require the tagging of
5 explosive material manufactured or offered for
6 sale in this state for purposes of detection
7 and identification; defining the term
8 "explosive material"; requiring the State Fire
9 Marshal to consult with experts; requiring that
10 the State Fire Marshal consider specified
11 interests in proposing methods for tagging;
12 requiring the State Fire Marshal to submit
13 proposed legislation to the President of the
14 Senate and the Speaker of the House of
15 Representatives; providing an effective date.

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

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19 Section 1. (1) The State Fire Marshal shall propose
20 legislation and rules to require that explosive material
21 manufactured or offered for sale in this state be tagged for
22 the purpose of detecting and identifying the explosive
23 material.

24 (2) As used in this section, the term "explosive
25 material" means gunpowder; powder used for blasting; all forms
26 of high explosives; blasting material, including fuses,
27 detonators, and other detonating agents, except for electric
28 circuit breakers; black and smokeless powders; other explosive
29 or incendiary devices defined in 18 U.S.C. s. 232(5); and any
30 chemical compound, mechanical mixture, or device that contains
31 any oxidizing or combustible unit, or other ingredient, in

1 such proportions, quantities, or packing so that ignition by
2 fire, friction, concussion, percussion, or detonation of the
3 compound, mixture, or device, or any part thereof, may cause
4 an explosion. The term also includes any explosive listed in
5 the Code of Federal Regulations by the Secretary of the
6 Treasury of the United States.

7 (3)(a) In proposing legislation and rules, the State
8 Fire Marshal shall consult with federal, state, and local
9 officials who are experts on the chemicals used to manufacture
10 explosive materials, and with other individuals determined
11 necessary by the State Fire Marshal. The State Fire Marshal
12 shall propose the method or methods for tagging that:

13 1. Pose the smallest risk to human life.

14 2. Substantially assist law enforcement agencies in
15 investigative efforts.

16 3. Will least impair the quality of the explosive for
17 its intended use.

18 4. Will have the least possible impact on the
19 environment.

20 5. Impose the lowest cost on manufacturers and users
21 of explosives.

22 (b) If the methods listed in paragraph (a) are not
23 mutually consistent, the State Fire Marshal shall give such
24 methods priority in the order listed.

25 (4) By January 1, 1998, the State Fire Marshal shall
26 submit proposed legislation for tagging explosive material to
27 the President of the Senate and the Speaker of the House of
28 Representatives.

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

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SENATE SUMMARY

Requires the State Fire Marshal to propose legislation and rules to require that explosive material be tagged for purposes of detecting and identifying the explosive material. Requires that the State Fire Marshal consult with experts on the chemicals used to manufacture explosive materials. Requires that the State Fire Marshal submit proposed legislation by January 1, 1998, to the President of the Senate and the Speaker of the House of Representatives.