

Amendment No. 02as (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Crow, Greenstein, and Justice offered the
12 following:

14 **Amendment to Substitute Amendment (305905) (with title**
15 **amendment)**

16 On page 4, between lines 20 and 21 of the substitute
17 amendment

19 insert:

20 Section 5. Subsection (14) is added to section
21 403.708, Florida Statutes, to read:

22 403.708 Prohibition; penalty.--

23 (14) The use of any product containing chromated
24 copper arsenate (CCA) shall be prohibited in construction of
25 any playground equipment, and for use as decorative mulch or
26 ground cover associated with playground equipment, for which
27 public funds are used.

28 (a) For purposes of this subsection, "playground
29 equipment" shall mean swings, slides, climbing equipment,
30 merry-go-rounds, seesaws, spring rockers, trampolines, and
31 other similar equipment, intended for use primarily by

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1 children, and shall include stairways, ramps, ladders,
2 handrails, platforms, guardrails, and protective barriers that
3 support, provide access to, or act as safety barriers, for
4 such equipment. It does not include buildings, docks, picnic
5 tables, and other associated structures, which may be located
6 near playgrounds or adjacent recreation areas.

7 (b) For purposes of this subsection, the term "public
8 funds" shall mean funds provided by the state, a county, a
9 municipality, a school district, a special district, or an
10 agency of any of them. The term does not include funds
11 provided by the federal government.

12 (c) This subsection applies only to construction of
13 new playground equipment and new placement of decorative mulch
14 or ground cover. It does not apply to maintenance or
15 modification of equipment which was in place prior to October
16 1, 2001, nor does it apply to any construction which was
17 begun, or for which contracts have been signed, prior to
18 October 1, 2001.

19 (d) Notwithstanding the provisions of subsections (11)
20 and (12), the department shall not have the authority to
21 enforce the provisions of this subsection unless the
22 playground equipment is constructed, or the decorative mulch
23 or ground cover used, on state lands.

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25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 5, line 18, of the amendment

29
30
31 after the semicolon, insert:

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1 amending s. 403.708, F.S.; prohibiting use of
2 chromated copper arsenate in publicly funded
3 playgrounds; providing definitions; providing
4 limitations;
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