

Amendment No. ____ (for drafter's use only)

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

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11 Representative(s) Gelber offered the following:

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Amendment (with title amendment)

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14 Remove everything after the enacting clause

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16 and insert:

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Section 1. Section 380.276, Florida Statutes, is

18

created to read:
380.276 Beaches and coastal areas; display of uniform
warning and safety flags on public beaches; placement of
uniform notification signs.--

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(1) It is the intent of the Legislature that a
cooperative effort among state agencies and local governments
be undertaken to plan for and assist in the display of uniform
warning and safety flags, and the placement of uniform
notification signs that provide the meaning of such warning
and safety flags, on the public beaches along the coast of the
state. Because the varying natural conditions of Florida's
public beaches and coastal areas pose significant risks to the
safety of tourists and the general public, it is important to
inform the public of the need to exercise caution.

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1 (2) The Department of Community Affairs, through the
2 Florida Coastal Management Program, shall direct and
3 coordinate the uniform warning and safety flag program. The
4 purpose of the program shall be to encourage the display of
5 uniform warning and safety flags at all public beaches along
6 the coast of the state at which warning and safety flags are
7 displayed and lifeguards are on duty, and to encourage the
8 placement of uniform notification signs that provide the
9 meaning of such flags.

10 (3) The Department of Community Affairs shall develop
11 a program for the display of uniform warning and safety flags
12 at all public beaches along the coast of the state at which
13 warning and safety flags are displayed and lifeguards are on
14 duty, and for the placement of uniform notification signs that
15 provide the meaning of the flags displayed. Such a program
16 shall provide:

17 (a) For posted notification of the meaning of each of
18 the warning and safety flags at all designated public access
19 points.

20 (b) That uniform notification signs be posted in a
21 conspicuous location and be clearly legible.

22 (c) A standard size, shape, color, and definition for
23 each warning and safety flag.

24 (d) That flags incorporate a numerical designation to
25 accommodate persons who are colorblind.

26 (e) That flags not specifically defined by the
27 department must be identified by the entity displaying the
28 flags in the posted notification.

29 (f) Guidelines for the periodic replacement of flags.

30 (4) The Department of Community Affairs is authorized,
31 within the limits of appropriations available to it for such

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1 purposes, to establish and operate a program to encourage the
 2 display of uniform warning and safety flags on all public
 3 beaches along the coast of the state and to encourage the
 4 placement of uniform notification signs that provide the
 5 meaning of the flags displayed. The department shall
 6 coordinate the implementation of the uniform warning and
 7 safety flag program with local governing bodies and the
 8 Florida Beach Patrol Chiefs Association.

9 (5) The Department of Community Affairs may adopt
 10 rules pursuant to ss. 120.536(1) and 120.54 necessary to
 11 administer this section.

12 (6) The state, state agencies, local governments, and
 13 local government agencies may not be held liable for any
 14 injury caused by the reasonable placement or location of
 15 uniform warning and safety flags or reasonably posted uniform
 16 notification signs or the failure to install uniform warning
 17 and safety flags or posted uniform notification signs as
 18 provided by this section.

19 Section 2. This act shall take effect July 1, 2002.

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

23 And the title is amended as follows:

24 remove: the entire title

26 and insert:

27 A bill to be entitled

28 An act relating to placement of uniform warning
 29 and safety flags on public beaches; creating s.
 30 380.276, F.S.; providing for a cooperative
 31 effort among state agencies and local

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1 governments to plan for and assist in the
2 display of uniform warning and safety flags and
3 the placement of specified uniform notification
4 signs; providing that the Department of
5 Community Affairs shall direct and coordinate a
6 program for the display and placement of such
7 flags and signs; providing for the development
8 of the program; providing program components
9 and requirements; authorizing the department to
10 coordinate the implementation of the program
11 with specified entities; providing for rules;
12 limiting the liability of participating
13 governmental entities; providing an effective
14 date.

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