

By the Committee on Banking and Insurance; and Senator Constantine

311-1322-04

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled
An act relating to fire prevention and control;
amending s. 633.171, F.S.; establishing
penalties for the unauthorized use of fireworks
or pyrotechnic devices in an indoor facility;
providing that the act does not apply to the
manufacture, distribution, or sale of
fireworks; providing an effective date.

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

Section 1. Section 633.171, Florida Statutes, is amended to read:

633.171 Penalty for violation of law, rule, or order to cease and desist or for failure to comply with corrective order.--

(1) A person who violates ~~The violation of~~ any provision of this law, ~~or~~ any order or rule of the State Fire Marshal, or any order to cease and desist or to correct conditions issued under this chapter commits hereunder, ~~shall constitute~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) It is ~~shall constitute~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, to intentionally or willfully:

(a) Render a fire extinguisher or preengineered system required by statute or by rule inoperative except during such time as the extinguisher or preengineered system is being serviced, hydrotested, tested, repaired, or recharged, except pursuant to court order.

1 (b) Obliterate the serial number on a fire
2 extinguisher for purposes of falsifying service records.

3 (c) Improperly service, recharge, repair, hydrotest,
4 test, or inspect a fire extinguisher or preengineered system.

5 (d) Use the license or permit number of another
6 person.

7 (e) Hold a permit and allow another person to use the
8 ~~said~~ permit number.

9 (f) Use, or permit the use of, any license by any
10 individual or organization other than the one to whom the
11 license is issued.

12 (3)(a) A person who initiates a pyrotechnic display in
13 an indoor facility that does not have a fire suppression
14 system installed according to the Florida Fire Prevention Code
15 and National Fire Protection Association Standard 13 commits a
16 felony of the third degree, punishable as provided in s.
17 775.082, s. 775.083, or s. 775.084.

18 (b) A person who initiates a pyrotechnic display in an
19 indoor facility without the written consent of the owner or
20 operator of the indoor facility and without a permit issued by
21 the local authority having jurisdiction commits a felony of
22 the third degree, punishable as provided in s. 775.082, s.
23 775.083, or s. 775.084.

24 (c) This section does not apply to the manufacture,
25 distribution, sale at wholesale or retail, or seasonal sale of
26 products regulated under chapter 791 if the products are not
27 used in an indoor facility.

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

30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1190

Mandates that an indoor facility must have a fire suppression system installed in accordance with the requirements of the Florida Fire Protection Code and National Fire Protection Association Standard 13 in order to house a pyrotechnics display.