

By Senator Lynn

7-142-05

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A bill to be entitled

An act relating to sales of fireworks; amending s. 791.07, F.S.; requiring that a person purchasing fireworks to frighten birds from agricultural works and fish hatcheries furnish the seller with an affidavit that the purchaser is qualified to purchase such fireworks; prescribing guidelines for such affidavits; providing an effective date.

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

Section 1. Section 791.07, Florida Statutes, is amended to read:

791.07 Agricultural and fish hatchery use.--~~Nothing in~~
This chapter does not shall prohibit the importation, purchase, sale, or use of fireworks used or to be used solely and exclusively in frightening birds from agricultural works or and fish hatcheries; and such use shall be governed entirely by the rules prescribed by the Department of Agriculture and Consumer Services. Before a person may purchase fireworks to be used in frightening birds from agricultural works or fish hatcheries, such person must provide to the seller an affidavit attesting that the person is qualified to purchase such fireworks. The affidavit must be on a form that has been approved by and obtained from the municipality in which the seller is located, or the county if the seller is not located within a municipality, and must include proof of the buyer's identity and, if applicable, proof that the buyer is registered with the division and is otherwise in compliance with this chapter and all applicable

1 rules adopted by the Department of Agriculture and Consumer
2 Services.

3 Section 2. This act shall take effect July 1, 2005.

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6 SENATE SUMMARY

7 Requires a person purchasing fireworks for the purpose of
8 frightening birds from agricultural works or fish
9 hatcheries to give the seller an affidavit showing that
10 the purchaser is qualified to purchase those fireworks.
11 The affidavit must be on a form approved and provided by
12 the municipality or county having jurisdiction over the
13 seller's place of business, must have proof of the
14 purchaser's identity, and must when necessary show that
15 the purchaser is registered with the Division of State
16 Fire Marshal and is otherwise in compliance with statute
17 and rules of the Department of Agriculture and Consumer
18 Services.
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