

CS/HB 339

2009

1 A bill to be entitled
2 An act relating to secondhand dealers and secondary metals
3 recyclers; amending s. 538.03, F.S.; excluding exercise
4 equipment from the definition of "secondhand goods";
5 amending s. 538.21, F.S.; preempting local government
6 ordinances relating to hold notices for secondary metals
7 recyclers; providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Paragraph (f) of subsection (1) of section
12 538.03, Florida Statutes, is amended to read:

13 538.03 Definitions; applicability.--

14 (1) As used in this part, the term:

15 (f) "Secondhand goods" means personal property previously
16 owned or used, which is not regulated metals property regulated
17 under part II and which is purchased, consigned, or traded as
18 used property. Such secondhand goods do not include office
19 furniture, pianos, books, clothing, organs, coins, motor
20 vehicles, costume jewelry, exercise equipment, and secondhand
21 sports equipment that is not permanently labeled with a serial
22 number. For purposes of this paragraph, "secondhand sports
23 equipment" does not include golf clubs.

24 Section 2. Subsection (4) is added to section 538.21,
25 Florida Statutes, to read:

26 538.21 Hold notice.--

27 (4) This section provides a uniform statewide process and
28 preempts municipal or county ordinances relating specifically to

CS/HB 339

2009

29 | secondary metals recyclers holding such metals.

30 | Section 3. This act shall take effect July 1, 2009.