

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 specified
 4 equipment from the definition of "secondhand goods";
 5 amending s. 538.21, F.S.; preempting certain local
 6 government ordinances relating to hold notices for
 7 secondary metals 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, cardio and strength training or
 21 conditioning equipment designed primarily for indoor use, and
 22 secondhand sports equipment that is not permanently labeled with
 23 a serial number. For purposes of this paragraph, "secondhand
 24 sports equipment" does not include golf clubs.

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

27 538.21 Hold notice.--

28 (4) This section provides a uniform statewide process and

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29 preempts municipal or county ordinances enacted after December
30 31, 2008, relating specifically to secondary metals recyclers
31 holding such metals.

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