

HB 417

2009

1 A bill to be entitled
 2 An act relating to novelty lighters; prohibiting the sale
 3 or distribution of novelty lighters; providing a
 4 definition; providing an exception; providing penalties;
 5 providing an effective date.

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

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 9 Section 1. (1) Novelty lighters may not be sold at
 10 retail, given away, or otherwise distributed to the public in
 11 this state.

12 (2) As used in this act, the term "novelty lighter" means
 13 a mechanical device that uses a flammable gas or liquid or an
 14 electrical current to commonly ignite cigarettes, cigars, or
 15 pipes and that resembles any item that is typically appealing to
 16 or intended to be used by children 10 years of age or younger,
 17 including, but not limited to, a lighter that resembles a
 18 cartoon character, animal, toy, gun, watch, musical instrument,
 19 vehicle, food, or beverage, or that plays sounds or musical
 20 notes or displays flashing lights or other visual effects.

21 (3) This act does not apply to lighters manufactured
 22 before January 1, 1980, or lighters that are considered
 23 collectibles.

24 (4) A first violation of this section is a misdemeanor of
 25 the second degree, punishable as provided in s. 775.082 or s.
 26 775.083, Florida Statutes. A second or subsequent violation is a
 27 misdemeanor of the first degree, punishable as provided in s.
 28 775.082 or s. 775.083, Florida Statutes.

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Section 2. This act shall take effect July 1, 2009.