

1                   A bill to be entitled  
 2           An act relating to retail sales of smoking pipes and  
 3           smoking devices; creating s. 569.0073, F.S.; prohibiting  
 4           retail sales of certain smoking pipes and smoking devices  
 5           under certain circumstances; specifying criteria for the  
 6           lawful sales of such items; providing a criminal penalty  
 7           for unlawful sales of such items; providing an effective  
 8           date.

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

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 12           Section 1.   Section 569.0073, Florida Statutes, is created  
 13   to read:

14           569.0073 Special provisions; smoking pipes and smoking  
 15   devices.-

16           (1) It is unlawful for any person to offer for sale at  
 17   retail any of the items listed in subsection (2) unless such  
 18   person:

19           (a) Has a retail tobacco products dealer permit under s.  
 20   569.003. The provisions of this chapter apply to any person that  
 21   offers for retail sale any of the items listed in subsection  
 22   (2).

23           (b) Derives at least 75 percent of its annual gross  
 24   revenues from the retail sale of cigarettes, cigars, and other  
 25   tobacco products.

26           (c) Derives no more than 25 percent of its annual gross  
 27   revenues from the retail sale of the items listed in subsection  
 28   (2).

29           (2) The following smoking pipes and smoking devices are  
 30 subject to the provisions of this section:

31           (a) Metal, wooden, acrylic, glass, stone, plastic, or  
 32 ceramic smoking pipes, with or without screens, permanent  
 33 screens, or punctured metal bowls.

34           (b) Water pipes.

35           (c) Carburetion tubes and devices.

36           (d) Chamber pipes.

37           (e) Carburetor pipes.

38           (f) Electric pipes.

39           (g) Air-driven pipes.

40           (h) Chillums.

41           (i) Bong.

42           (j) Ice pipes or chillers.

43           (3) Any person who violates this section commits a  
 44 misdemeanor of the first degree, punishable as provided in s.  
 45 775.082 or s. 775.083.

46           Section 2. This act shall take effect July 1, 2010.