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576-03639-13

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to drug paraphernalia; amending s.
893.147, F.S.; prohibiting the retail sale of certain
drug paraphernalia; providing criminal penalties;
repealing s. 569.0073, F.S., relating to the retail
sale of certain smoking pipes and smoking devices;
providing an effective date.

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

Section 1. Subsection (6) is added to section 893.147,
Florida Statutes, to read:

893.147 Use, possession, manufacture, delivery,
transportation, ~~or~~ advertisement, or retail sale of drug
paraphernalia.—

(6) RETAIL SALE OF DRUG PARAPHERNALIA.—

(a) It is unlawful for a person to knowingly and willfully
sell or offer for sale at retail any drug paraphernalia
described in s. 893.145(12) (a)-(c) or (g)-(m), other than a pipe
that is primarily made of briar, meerschaum, clay or corn cob.

(b) A person who violates paragraph (a) commits a
misdemeanor of the first degree, punishable as provided in s.
775.082 or s. 775.083, and, upon a second or subsequent
violation, commits a felony of the third degree, punishable as
provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 569.0073, Florida Statutes, is repealed.

Section 3. This act shall take effect July 1, 2013.