

By the Committee on Criminal Justice; and Senator Stargel

591-03349-13

20131140c1

1 A bill to be entitled
2 An act relating to drug paraphernalia; amending s.
3 893.147, F.S.; prohibiting the retail sale of certain
4 drug paraphernalia; providing criminal penalties;
5 repealing s. 569.0073, F.S., relating to the retail
6 sale of certain smoking pipes and smoking devices;
7 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. Subsection (6) is added to section 893.147,
12 Florida Statutes, to read:

13 893.147 Use, possession, manufacture, delivery,
14 transportation, ~~or~~ advertisement, or retail sale of drug
15 paraphernalia.—

16 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—

17 (a) It is unlawful for a person to knowingly and willfully
18 sell or offer for sale at retail any drug paraphernalia
19 described in s. 893.145(12)(a)-(c) or (g)-(m), other than a
20 wooden pipe.

21 (b) A person who violates paragraph (a) commits a
22 misdemeanor of the first degree, punishable as provided in s.
23 775.082 or s. 775.083, and, upon a second or subsequent
24 violation, commits a felony of the third degree, punishable as
25 provided in s. 775.082, s. 775.083, or s. 775.084.

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 Section 569.0073, Florida Statutes, is repealed.

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