

By the Committees on Appropriations; and Criminal Justice; and  
Senator Stargel

576-04640-13

20131140c2

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 pipe  
20   that is primarily made of briar, meerschaum, clay or corn cob.

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 Section 569.0073, Florida Statutes, is repealed.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.