

2020140e1

1                   A bill to be entitled  
2           An act relating to fireworks; creating s. 791.08,  
3           F.S.; defining the term "designated holiday";  
4           providing an exemption for the use of fireworks solely  
5           and exclusively during a designated holiday; providing  
6           construction; providing legislative intent;  
7           prohibiting homeowners' associations from promulgating  
8           certain rules or regulations; providing an effective  
9           date.

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

12  
13           Section 1. Section 791.08, Florida Statutes, is created to  
14 read:

15           791.08 Use during designated holidays; exemption.-

16           (1) As used in this section, the term "designated holiday"  
17 means:

18           (a) New Year's Day, January 1;

19           (b) Independence Day, July 4; or

20           (c) New Year's Eve, December 31.

21           (2) This chapter does not prohibit the use of fireworks  
22 solely and exclusively during a designated holiday. This section  
23 is not intended to provide for the comprehensive regulation of  
24 fireworks as described in s. 10(5), chapter 2007-67, Laws of  
25 Florida, or to supersede any local governmental regulation  
26 relating to the use of fireworks as provided in s. 10(5),  
27 chapter 2007-67, Laws of Florida.

28           (3) The Legislature does not intend for the application of  
29 this section to supersede any prohibition against the use of

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30 fireworks contained within a legally executed and properly  
31 recorded declaration of covenants or covenant running with the  
32 land of any homeowners' association pursuant to chapter 720.  
33 However, a homeowners' association, through a board of  
34 directors, may not promulgate rules that attempt to abrogate a  
35 homeowner's right to use fireworks during a designated holiday  
36 or under general law.

37 Section 2. This act shall take effect upon becoming a law.