COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 647 (2020)

Amendment No. 1

| | COMMITTEE/SUBCOMMITTEE ACTION | | |
|----------------------------|--|-------------------------------------|--|
| | ADOPTED | (Y/N) | |
| | ADOPTED AS AMENDED | (Y/N) | |
| | ADOPTED W/O OBJECTION | (Y/N) | |
| | FAILED TO ADOPT | (Y/N) | |
| | WITHDRAWN | (Y/N) | |
| | OTHER | | |
| | | | |
| 1 | Committee/Subcommittee hearing bill: Health & Human Services | | |
| 2 | Committee | | |
| 3 | Representative Drake offered the following: | | |
| 4 | | | |
| 5 | Amendment (with title amendment) | | |
| 6 | Between lines 31 and 32, insert: | | |
| 7 | Section 1. Present subsection (7) of section 514.0115, | | |
| 8 | Florida Statutes, is redesignated as subsection (8), and a new | | |
| 9 | subsection (7) is added to that section, to read: | | |
| 10 | 514.0115 Exemptions from supervision or regulation; | | |
| 11 | variances | | |
| 12 | (7) Until such time as the department adopts rules for the | | |
| 13 | supervision and regulation of surf pools, a surf pool that is | | |
| 14 | larger than 4 acres is exempt from supervision under this | | |
| 15 | chapter, provided that it | is permitted by a local government | |
| 16 | pursuant to a special use | e permit process in which the local | |
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| | Published On: 2/11/2020 9:18:38 PM | | |
| | | Page 1 of 3 | |

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17 government asserts regulatory authority over the construction of 18 the surf pool and, in consultation with the department, 19 establishes through the local government's special use 20 permitting process the conditions for the surf pool's operation, 21 water quality, and necessary lifesaving equipment. This 22 subsection does not affect the department's or a county health 23 department's right of entry pursuant to s. 514.04 or its 24 authority to seek an injunction pursuant to s. 514.06 to 25 restrain the operation of a surf pool permitted and operated 26 under this subsection if it presents significant risks to public 27 health. For the purposes of this subsection, the term "surf 28 pool" means a pool designed to generate waves dedicated to the 29 activity of surfing on a surfboard or an analogous surfing 30 device commonly used in the ocean and intended for sport, as opposed to general play intent for wave pools, other large-scale 31 32 public swimming pools, or other public bathing places. 33 Section 2. Subsection (7) of section 553.77, Florida 34 Statutes, is amended to read: 35 553.77 Specific powers of the commission.-36 (7) Building officials shall recognize and enforce 37 variance orders issued by the Department of Health pursuant to s. 514.0115(8) s. 514.0115(7), including any conditions attached 38 39 to the granting of the variance. 40 41 825665 - h0647-line31.docx Published On: 2/11/2020 9:18:38 PM Page 2 of 3

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| 42 | TITLE AMENDMENT | |
|----|---|--|
| 43 | Remove line 2 and insert: | |
| 44 | An act relating to the Department of Health's regulation of | |
| 45 | recreational activities; amending s. 514.0115, F.S.; providing | |
| 46 | that certain surf pools are exempt from supervision for certain | |
| 47 | provisions under certain circumstances; providing construction; | |
| 48 | defining the term "surf pool"; amending s. 553.77, F.S.; | |
| 49 | conforming a cross-reference; | |
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Page 3 of 3